

<POLISHED, BUT UNEDITED>

JANUARY 21, 2010.

>> ALL RIGHT. WE'LL PROCEED NOW WITH THE BUSINESS MEETING OF THE COUNCIL WHICH IS A SPECIAL SESSION TODAY.

OUR AGENDA IS AN UNUSUALLY SHORT ONE TODAY WITH THE SPECIAL SESSION AND WE VOTED TO REPORT FULL DISCLOSURE OF OTHER ITEMS.

WHEN THE COUNCIL VOTED IN FAVOR OF A ONE DAY PER MONTH CLOSURE PLAN LAST JULY PER THE AUTHORIZATION PER THE GOVERNOR, WE DID SO AFTER EXPLORING OTHER ALTERNATIVES AND WHAT COURT OF ACTION WOULD HAVE THE LEAST IMPACT ON THE PUBLIC. IRONICALLY, PERHAPS, CLOSING THE COURTS ONE DAY A MONTH PROVED TO BE THE COURSE OF ACTION WITH THE LEAST ADVERSE IMPACT.

IN EXPLORING THE ALTERNATIVES, WE SOUGHT INPUT FROM COURTS AND OTHERS DIRECTED THE ADMINISTRATIVE OFFICE TO ASSESS THE CLOSURES AND SURVEY THE USER, COUNTY JUSTICE PARTNERS AND THE COURTS FROM THE EXTENT OF THE DISRUPTION CAUSED BY COURT CLOSURE.

THAT TASK HAS BEEN COMPLETED AND WILL PRESENT THE FINDINGS AND RECOMMENDATIONS.

THE QUESTION BEFORE US THAT I WANT TO EMPHASIZE IS WHETHER TO AMEND THE ACTION WE TOOK IN JULY IN RESPONSE TO THE ECONOMIC CRISIS AND THE UNPRECEDENTED REDUCTIONS IN THE BRANCH BUDGET, AND THAT IS WHETHER TO CONTINUE THE COURT CLOSURE THROUGH JUNE OR TO CANCEL OR ALTER THE PLAN FOR THE REMAINDER OF THIS YEAR WHICH REALLY INVOLVES CLOSURE DATES.

THE ISSUE IS NOT THE COUNCIL'S COMMITMENT TO KEEP THE COURTS OPEN AND FULLY OPERATING ON COURT DAYS.

AT OUR MEETING LAST MONTH, THE COUNCIL VOTED UNANIMOUSLY TO SEEK SUFFICIENT FUNDING FROM THE LEGISLATURE NEXT FISCAL YEAR AND TO MAKE THAT OUR NUMBER ONE PRIORITY. IN FACT, SINCE THEN I HAVE HAD PERSONAL MEETINGS WITH THE GOVERNOR AND HIS OFFICE AND LEGISLATIVE LEADERSHIP TO EMPHASIZE THE NECESSITY.

ONE OF THE GREAT BENEFITS OF STATE FUNDING WHAB THE STABILITY PROVIDED TO THE JUDICIAL COURT SYSTEM. BUDGETS HAVE DECREASED 50% AND WE'RE A FAR CRY FROM THE EARLY 1990'S WHEN I RECALL THAT LOCAL FISCAL EMERGENCIES REQUIRED UNCOORDINATED COURT CLOSURES OR OTHER ILL-CONCEIVED MEASURES IN SOME COUNTIES.

SO HOWEVER BAD THINGS ARE TODAY, I AM FIRMLY OF THE MONEY THAT THINGS ARE WORSE AND GIVEN HOW CASH STRAPPED COUNTIES ARE AND STILL TRYING TO FUNCTION.

AS FAR AS THE ISSUE TODAY OF HOW TO MANAGE ANOTHER DIFFICULT BUDGET YEAR IN 2010-2011, THAT WOULD BE PREMATURE. HOWEVER, THE GOVERNOR HAS RELEASED A PRELIMINARY BUDGET FOR NEXT YEAR, BUT THAT IS ONLY THE FIRST ROUND.

REALIZE THE LEGISLATURE WILL OBTAIN INPUT FROM THOSE AFFECTED AND WILL HAVE ITS OWN RESPONSE. THEN AFTER THE REVENUES ARE TABULATED FOLLOWING APRIL 15 DEADLINE, THE REAL BUDGET MAY REVISE AND LAST YEAR IT WAS JUNE.

WE WILL HAVE MORE DETAILED REPORTS ON THE OUTLOOK FOR NEXT YEAR AT SUBSEQUENT MEETINGS OF COUNCIL. THE ONLY OTHER ITEM ON THE DISCUSSION AGENDA IS A RESOLUTION FOR AN ADOPTION THAT TOOK PLACE AT GLENN COUNTY. I AM TOLD THE TRANSFER OF THE COURTHOUSE AND FROM THE FACILITIES FROM THE COUNTY TO THE STATE IS ONE OF THE LARGEST REAL ESTATE TRANSACTIONS IN HISTORY.

THIS IS A REMARKABLE ACHIEVEMENT FOR THE ENTIRE BRANCH AS FAR AS THE DEDICATION OF THOSE AT THE COUNTY.

I WOULD LIKE TO WELCOME SOME VISITORS WE HAVE NOW.

GOOD MORNING.

WE HAVE PRESIDING JUDGE OF THE SUPERIOR COURT OF GLENN COUNTY DONALD COLE BYRD WHO IS HERE. WE WILL HEAR FROM THEM LATER.

WE ALSO WELCOME BACK ELIZABETH HOWARD ESPINOSA. WE HAVE A WIDE RANGE OF SEVERAL OTHER VISITORS WITH US TODAY.

SOME OF WHOM WILL BE ADDRESSING THE COUNCIL TO BRING THE PUB LIB COMMENT PORTION OF THE MEETING.

THIS MARKS A DEPARTURE OF PROCEDURE WHICH ALLOWS ONLY PUBLIC EMPLOYEES TO ADDRESS THE COUNCIL.

IT IS OUR DECISION MAKING PROCESS THAT DOES NOT LEND ITSELF TO THIS OPINION BUT BECAUSE OF THE WIDESPREAD IMPACT AND INTEREST IN COURT CLOSURES, WE ARE MAKING ADJUSTMENTS AS NEEDED. OUR GOVERNMENT STRUCTURE AND PROCEDURES ALLOW FOR COMMENT AND PROPOSAL OF OTHER MATTERS THROUGH OUR VOLUNTARY ADVISORY COMMITTEE AND TASK FORCE, WHICH I BELIEVE MORE THAN 300 BENCH MEMBERS, AS WELL AS THE BRANCH WIDE AND PUBLIC COMMENT.

THE COURT CLOSURE PLAN, FOR EXAMPLE, WAS DEBATED IN MEETINGS AND REGIONAL MEETINGS AND

DISCUSSIONS AT THE BAR AND WITH EMPLOYEES.

AS A RESULT, PUBLIC COMMENT AT THE START OF THE MEETING IS APPRECIATED AND MAKING THE EXCEPTION HERE.

BECAUSE OF THE NUMBER OF REQUESTS TO ADDRESS THE COUNCIL IN SESSION, EACH SPEAKER WILL HAVE TO LIMIT HIS OR HER SPEECH. AND BEFORE WE PROCEED TO HEAR FROM YOU, I WILL ADVISE THE COUNCIL MEMBERS THAT WE ARE ONLINE TO EXPAND PUBLIC ACCESS TO THE SESSION.

THE BUSINESS MEETINGS OF THE COUNCIL ARE AUDIO CAST LIVE WITH REALTIME CAPTIONING ON THE COURT WEBSITE.

IN ADDITION, PORTIONS OF THIS MEETING IS NOW AVAILABLE VIA VIDEO.

AND WE HAVE ALSO AGREED TO PROVIDE TELEVISION STATIONS WITH INFORMATION FROM THE SESSIONS.

FOR SOME OF THE MEETINGS WE HAVE HAD MORE THAN 365 ONLINE PARTICIPANTS P. THE BENEFIT OF THOSE LISTENERS AND VIEWERS IS COUNCIL MEMBERS WHO SEEK TO ADDRESS EACH OTHER BY NAME AND THOSE PERSONS CAN FOLLOW THE DISCUSSION BETTER.

I WOULD ADVISE YOU TO TURN OFF ALL CELL PHONES AND OTHER DEVICES. BEFORE WE BEGIN, WE WANT TO REMEMBER JUDGE WILLIAM LAFFERTY.

AND THIRD AND FINALLY, JUDGE FLORENCE COOPER
DIED IN SANTA MONICA. WE REMEMBER JUDGE COOPER
AND THE COMMISSIONER AND THE JUDGE OF
THE SUPERIOR COURT.

THEY SERVED ON THE ADVISORY COMMITTEE AND TASK
FORCE. SHE WAS ALSO THE CHAIR OF SEVERAL OTHER
COMMITTEES.

AND ALSO VERY SORRY TO LEARN OF THE PASSING
OF JUDGE ART.

I WILL NOTE AS WE EMBARK UPON THE STATEMENTS
THAT WE ALSO HAVE VARIOUS WRITTEN STATEMENTS AND
LETTERS THAT HAVE BEEN DISTRIBUTED OR ARE BEING
DISTRIBUTED FROM MEMBERS OF THE COUNCIL.

I WOULD LIKE TO PROCEED WITH LIBERTY SANCHEZ.

>> THANK YOU, MR. CHIEF JUSTICE. LIBERTY
SANCHEZ DEFENDING LABORS LOCAL 777 REPRESENTING
COURT EMPLOYEES AND RIVERSIDE COUNTY AND SAN
DIEGO COUNTY COURT EMPLOYEES ASSOCIATION

THANK YOU SO MUCH FOR CONVENING THIS SPECIAL
MEETING TO ADDRESS THIS ENORMOUSLY IMPORTANT
ISSUE. MICHAEL JUDGE, THE CHIEF PUBLIC DEFENDER
IN L.A. COUNTY, HAS HAD COMMUNICATIONS WITH YOU
BOTH IN WRITING AND IN CONVERSATION, MR. CHIEF
JUSTICE REGARDING THE DEEP CONCERN ABOUT --
MR. CHIEF JUSTICE ABOUT DEFENDANTS BEING HELD IN

EXCESS OF CONSTITUTIONAL MANDATED TIME
SURROUNDING THE COURT CLOSURE DATES.

THIS WAS A CONCERN WE HAD IN THEORY IN
ANTICIPATION OF THE COURT CLOSURE DATES AND NOW
THAT WE'VE EXPERIENCED SIX OF THEM, WE HAVE
ACTUAL STORIES OF FROM CRIMINAL DEFENDANTS BEING
HELD IN EXCESS OF THEIR TIME.

ONE RECENT CASE I HAVE HEARD IN SANTA
CRUZ COUNTY WHERE THE DEFENDANT WAS ARRESTED ON
FRIDAY AND BECAUSE OF THE HOLIDAY, HE WAS NOT
ABLE TO BE IN COURT UNTIL TODAY.

SO THAT' JUST ONE CASE OF WHICH I AM SURE
THERE ARE SEVERAL. WE BELIEVE VERY STRONGLY THAT
ONE CRIMINAL DEFENDANT BEING HELD IN EXCESS OF
HIS TIME IS TOO MANY.

AND OUR CONCERN IS GOING TO BE PARTICULARLY
EXACERBATED COME FEBRUARY WHERE YOU HAVE A
PERFECT STORM OF LINCOLN'S BIRTHDAY,
THE PRESIDENT' HOLIDAY AND THE COURT CLOSURE DAY
ON THE 17TH. IMAGINE, IF YOU WILL, A CRIMINAL
DEFENDANT GETTING PICKED UP ON THE 11TH AND NOT
BEING ABLE TO BE HEARD IN COURT UNTIL THE 18TH.

WE WOULD ENCOURAGE THE COUNCIL TO LOOK AT
STONES THAT HAVE BEEN POTENTIALLY UNTURNED THUS
FAR. WE HAVE POINTED TO AN UNDERCOLLECTION OF

FEES AND COURT REPORTER USER FEES WHICH
TRADITIONALLY HAVE BEEN UNDERCOLLECTED IN THE
AMOUNT OF \$14 MILLION

WE BELIEVE THERE ARE OTHER FEES AND FINES THAT
MIGHT BE UNDERCOLLECTED AND THOSE SHOULD BE
LOOKED AT.

I GET CALLS FROM THE PUBLIC DEFENDERS EVERY
MONTH AFTER THE COURT CLOSURE DAY REPORTING TO ME
FROM ACROSS THE STATE ABOUT LINES OUT THE DOOR.

IT'S NOT JUST THE PUBLIC DEFENDERS. MY COURT
EMPLOYEES ALSO HAVE EXPRESSED GRAVE CONCERN ABOUT
INABILITY TO DO THE WORK THAT HAS TO BE DONE ON
DAYS IMMEDIATELY PROCEEDING AND IMMEDIATELY
FOLLOWING THE COURT CLOSURE DAYS.

>> I WILL ASK YOU TO BRING YOUR REMARKS TO A
CLOSE.

>> A YOUNG GIRL WAS NOT ABLE TO CONTACT
COUNCIL OR HER BIOLOGICAL PARENT. HER BIOLOGICAL
FATHER WAS UNAWARE SHE WAS IN FOSTER CARE FOR
SEVEN DAYS WITHOUT BEING ABLE TO MAKE A CALL TO
ANYONE THE FIRST TIME SHE SAW HIM WAS IN COURT
SEVEN DAYS LATER. PLEASE CONSIDER CHANGING YOUR
DECISION AND RETRACTING THE DECISION TO HAVE THE
COURT CLOSURE DATE CONTINUE.

>> NEXT WE'LL HEAR FROM MR. TODD PRINGLE.

>> GOOD MORNING, LADIES AND GENTLEMEN. I AM
HERE FROM SHASTA COUNTY AND ON BEHALF OF THE
CALIFORNIA ACCOUNT COURT REPORTERS ASSOCIATION
WITH A BRIEF COMMENT ABOUT AN IMPACT THAT HASN'T
BEEN MENTIONED SO FAR.

I AM ALSO ON THE EXECUTIVE BOARD OF THE UNITED
PUBLIC EMPLOYEES OF CALIFORNIA. AND I AM HERE TO
MAKE AN IMPACT ON THE COURT EMPLOYEES THAT I AM
AWARE OF. I AM GOING TO APOLOGIZE IN ADVANCE
THAT I PREPARED THE REMARKS PRIOR TO THIS AND IF
I DON'T -- IF I SAY SOMETHING THAT YOU ARE SAYING
IS NOT PART OF THIS CONSIDERATION, I BEG YOUR
INDULGENCE AND THEY ARE VERY BRIEF.

IN DECIDING WHETHER OR NOT TO CONTINUE THE
CURRENT COURT CLOSURE PLAN, I ASK THE FOLLOWING
BE TAKEN INTO CONSIDERATION. FIRST, CCRC AND
IMPACT ON FREELANCE COURT REPORTERS IN CALIFORNIA
AND WHAT'S HAPPENING IS SOME OF THE OFFICIAL
REPORTERS AND REPORTERS ARE LOOKING FOR
DEPOSITION WORK TO DO ON COURT FURLOUGH DAYS AND
THEY ARE OUT THERE COMPETING WITH OTHER FREELANCE
REPORTERS IN THE AREAS AND ALTHOUGH THAT MAY SEEM
ALMOST TRIVIAL TO YOU, ACTUALLY IN THIS CURRENT
DEPOSITION FIELD MARKET, IT IS VERY SIGNIFICANT
TO LOSE A WHOLE DAY OF INCOME

IT'S GETTING PRETTY DICEY OUT THERE. THE SECOND THING IS THE IMPACT ON TRIAL COURT EMPLOYEES.

I KNOW FROM READING THE REPORT THAT YOU ARE AWARE OF THE IMPACT AND YOU HAVE ALREADY MENTIONED IT, BUT WHAT I DIDN'T READ IN THE REPORT WAS THE FACT THAT THESE EMPLOYEES ARE HAVING TO MAKE UP THAT WORK BEFORE AND AFTER AND AT THE SAME TIME THAT THEY ARE BEING PAID LESS MONEY.

AND THIS IS ON TOP OF MANY OF THE COURTS HAVING HIRING FREEZES SO THEY ARE ALREADY BEHIND.

AND THE COURT CLOSURES ARE HAVING THAT KIND OF AN IMPACT ON THESE PEOPLE, AND YOU HAVE ALREADY HEARD AND I HEARD IN SOME PLACES THERE ARE LINES OUT THE DOOR. .

I HEARD THIS MORNING ONE PERSON TOLD ME THE LINES START FORMING AT 6:30 IN THE MORNING.

THESE ARE THE SAME EMPLOYEES THAT THE PUBLIC SEES WHEN THEY WALK IN THE COURTHOUSE. THEY'LL SEE THE FACES THAT ARE HERE IN THIS ROOM AT THIS TABLE HERE, AND THEY SEE MY FACE, THEY SEE MARTINEZ'S FACE AND THE COURT EMPLOYEES.

THIS IS THE SAME PUBLIC THEN WHO IS EXPERIENCING THIS MAXIMUM, IN MY OPINION, AND I

KNOW YOU DISAGREE WITH ME, BUT THE MAXIMUM
NEGATIVE EFFECT OF PRODUCTION.

I'LL FINISH WITH THIS THOUGHT. PEOPLE SHOULD
BE MORE IMPORTANT THAN THINGS. THE PUBLIC SHOULD
HAVE A HIGHER PRIORITY THAN THE COURTHOUSES.

THE EMPLOYEES SHOULD TAKE PRECEDENCE OVER NEW
COMPUTER SYSTEMS. MAXIMIZING THE NEGATIVE IMPACT
IS NOT GOOD STEWARDSHIP AND REDUCES THE ACCESS OF
EVERYONE TO IT.

MAXIMIZING THE NEGATIVE EFFECT ON COURT
EMPLOYEES IS JUST POOR MANAGEMENT.

AND IN THE LONG RUN I DON'T THINK THIS POLICY
HAS SERVED YOU WELL.

THANK YOU FOR LISTENING.

>> THANK YOU, MR. PRINGLE.

>> NEXT WE HAVE THE PLEASURE OF WORKING WITH A
COURT REPORTER WHOM I HAVE WORKED WITH.

>> THANK YOU. IT WAS THE MUNICIPAL COURT.

>> THAT GOES BACK EVEN FURTHER THAN I WANT TO
ADMIT.

>> GOOD MORNING, LADIES AND GENTLEMEN. EXCUSE
ME FOR READING BUT I HAVE TO READ IN ORDER TO GET
THROUGH IN THREE MINUTES. OUR COURT SYSTEM IS
SEVERELY CRIPPLED REGARDLESS OF WHICH WAY THIS
BODY VOTES TODAY

A RECENT ECONOMIC STUDY DEMONSTRATES THE CALIFORNIA ECONOMY WILL SUFFER \$30 BILLION IN REDUCED ECONOMIC ACTIVITY AND \$1.6 BILLION IN REDUCED TAX REVENUE FROM POTENTIAL COURTHOUSE CLOSURES AND LAYOFFS.

WITH 1/4 OF THE L.A. COURT'S WORK FORCE LIKELY TO BE LAID OFF IN THREE YEARS AND NINE COURTHOUSES TO BE SHUT DOWN, HOW WILL WE CONTINUE TO FUNCTION?

SURELY YOU ALL SEE WHAT IS HAPPENING IN YOUR OWN COUNTY. THE GOVERNOR AND HIS PROPOSED BUDGET HAS PUT FORTH MONEY FOR THE COURTS IN ONE HAND AND TAKEN IT AWAY WITH THE OTHER.

NO ONE BELIEVES THAT THE COURT WILL SEE \$100 MILLION OR ANYTHING CLOSE TO THAT TO HELP STOP THE RED INK.

THE PROBLEM IS GROWING AND SOON ALL THE COURTS WILL HAVE RUN OUT OF WHATEVER RESERVES THEY HAD AVAILABLE, AND WE'LL BE LOOKING TO YOU FOR EVEN MORE RELIEF.

THERE JUST IS NOT ENOUGH MONEY COMING FROM THE STATE AND THERE WON'T BE FOR THE FORESEEABLE FUTURE BECAUSE OF THEIR \$20 BILLION BUDGET DEFICIT FOR THE NEXT FEW YEARS.

TO COMPOUND THE SITUATION EVEN FURTHER,

UNFORTUNATELY, THIS BODY A MU MONTHS AGO TOOK ANOTHER \$72 MILLION FROM THE TRIAL COURT TRUST FUND TO SPEND ON THE CCMS COMPUTER PROGRAM.

HOW MUCH LONGER MUST WE ACT AS IF THE CRISIS IS NOT REAL? HOW MUCH LONGER MUST THE LINES OUTSIDE THE COURTHOUSES BECOME?

HOW LONG MUST LITIGANTS CONTINUE TO WAIT TO PROCESS PAPER WORK TO RECEIVE A RULING, TO GET THEIR CASE HEARD BEFORE A BEVENLG BENCH OFFICER? AND HOW MANY PEOPLE WILL BE CRAMMED INTO THE OVERCROWDED JAIL? HOW LONG BEFORE AN OVERWORKED EMPLOYEE MAKES A SERIOUS MISTAKE.

IT IS TIME TO MAKE A DECISION ABOUT THE PRIORITIES AND WE'RE FACING A DISASTER THAT COULD BE MITIGATED BY UTILIZING FUNDS AND VARIOUS RESERVE FUNDS HELD BY THE A.O.C. TO KEEP THE TRIAL COURTS OPERATING AND COULD BE MITIGATED BY THIS BODY COMING TO THE REALIZATION THAT HOWEVER MUCH A NEW CASE MANAGEMENT SYSTEM IS NEEDED, IT HAS TO BE PUT ON THE BACK BURNER UNTIL WE PASS THIS CRISIS.

FURLOUGHS AND COURT CLOSURES ARE NOT THE ANSWER AND NEVER WERE. THE CLOSURES ARE HURTING THE PUBLIC, THE ECONOMY, AND THIS INSTITUTION THAT WE ALL RESPECT.

FORCE JUST YESTERDAY WE HAD HUNDREDS OF PEOPLE
SHOW UP TO JUST ONE COURTHOUSE IN L.A. AND WERE
TURNED AWAY BECAUSE THE DOORS WERE CLOSED.

ARE YOU GOING TO DO WHAT MUST BE DONE, HOWEVER
PAIN TO FEEL SEE THE TRIAL COURTS THROUGH THIS
CRISIS, OR WILL THE RECKLESS SPENDING ON A
COMPUTER SYSTEM CONTINUE AT THE EXPENSE OF
SERVICES?

WILL MOST COURTHOUSES BE BUILT WHILE OTHERS
ARE FORCED TO CLOSE?

I ASK YOU, WHAT IS THE BUDGET PLAN? WHAT IS
THE BACKUP PLAN? WHAT IS THE MULTIYEAR PLAN?

WHEN ARE WE GOING TO SEE LEADERSHIP FROM THIS
BODY THAT GIVES US SOME FAITH AND HOPE THAT YOU
ARE FIRMLY AT THE REINS AND LEADING US TOWARD A
REAL SOLUTION TO THIS FINANCIAL MELTDOWN?

AS ELECTED OFFICIALS THAT RUN THE COURT
SYSTEM, WE ARE WAITING FOR YOU, NOT THE A.O.C.,
BUT YOU, THE JUDGES, TO TAKE AFFIRMATIVE ACTION
TO STOP THE MADNESS.

WE ARE WATCHING AND WE ARE LISTENING AND WE
ARE WAITING. THANK YOU.

>> THANK YOU, MS. SIMS.

>> WE WILL NOW HEAR FROM MS. DASHER, A COURT
REPORTER.

>> GOOD MORNING. I AM HERE THIS MORNING
SPEAKING ON BEHALF OF THE SCIU STATE COUNSEL.
OUR CALIFORNIA COURTS ARE FACING AN UNCERTAIN
FUTURE AND UNLESS THE COUNCIL TAKES ADDITIONAL
ACTION, MORE COURTHOUSES WILL BE CLOSED AND
JUSTICE WILL BE DELAYED. EVEN THE ONE-DAY PER
MONTH CLOSURE IS CREATING HAVOC ON THE WHOLE
SYSTEM. WE ASKED COURT EMPLOYEES TO TALK ABOUT
THE IMPACT THAT THE CLOSURES ARE HAVING ON THE
PUBLIC, AND THIS IS WHAT SOME OF THEM SAID.
THESE ARE SOME OF THE STORIES

FIRST, THERE IS THE IMPACT ON PUBLIC SAFETY.
CRIMINAL COURTS, ARREST WARRANTS AND SEARCH
WARRANTS AREN'T PLANNED ON CLOSURE DATES AND THEY
MUST WAIT UNTIL THE NEXT COURT DATE TO HAVE THOSE
REVIEW AND SIGNED BY JUDGE. MORE DRUGS ARE BEING
SOLD, MORE VIOLENT CRIME CAN BE COMMITTED, AND
OUR JUDICIAL SYSTEM IS GIVING CRIMINALS AN EXTRA
DAY TO HIDE THEIR GUNS AND COMMIT MORE CRIMES.

THEN THERE IS THE IMPACT ON FAMILIES AND
MINORS. IN CHILDREN'S COURT A CLOSURE DAY
AFFECTS THE CHILDREN BY KEEPING THEM LONGER IN
DETAINMENT AND IN FOSTER CARE. AN ATTORNEY WROTE
"THERE'S STILL A PROCESSING OF MEDICATION

AUTHORIZATION FOR CHILDREN WHO NEED MEDICATION.
THE EMERGENCY HEAR KGS NOT BE HEARD WHEN THE
COURTS ARE CLOSED."

ONE LOS ANGELES JUVENILE COURT THE DAY AFTER
THE FURLOUGH DAY, THAT COURT HAD EIGHT COURT
CASES THAT COULDN'T BE HEARD, NINE MINORS SPENT
ALL DAY IN SHELTER CARE WITHOUT HAVING THEIR
CASES HEARD. THEIR PARENTS TOOK THE DAY OFF FROM
WORK AND THEY HAD TO BE PUT OVER TO ANOTHER DAY.

AND JUVENILES OUT OF CUSTODY ARE MISSING
ANOTHER DAY OF SCHOOL AND THEIR PARENTS ARE
MISSING WORK.

THEN, OF COURSE, WE HAVE FRUSTRATED PUBLIC.
PEOPLE LOSE TIME AT WORK AND MONEY WHEN THEY HAVE
TO TAKE WORK OFF WHEN THE COURTS ARE CLOSED AND
THEY HAVE TO COME BACK ON ANOTHER DAY.

IN METRO COURT LOS ANGELES, CUSTOMERS ARE
IRATE DUE TO PAYMENTS NOT BEING PROCESSED AND THE
LICENSES HAVE BEEN SUSPENDED ERRONEOUSLY BECAUSE
THE ABSTRACTS AREN'T BEING PROCESSED.

THE DAY AFTER A FURLOUGH, LIKE TODAY, THE LINE
TO ENTER THE METRO COURT CAN BE SEEN AROUND THE
CORNER BOTH SIDES. IMAGINE HOW THAT IS TODAY IN
THE RAIN.

NOT TO MENTION A BACKLOG AND DELAYS. THE

AFTER MATH OF THE CLOSURE THAT THE DAY BEFORE AND THE DAY AFTER IS TWICE AS BUSY. "THE AFTERMATH OF THE WORKLOAD IS AWFUL" ONE EMPLOYEE WROTE.

THE CONSOLIDATION OF COURTROOM CALENDARS RESULTING IN MORE CASES HANDLED BY THE COURTROOMS LEFT OPEN, THE TRIAL CALENDARS HAVE BECOME MUCH LARGER

MANY TIMES DEFENDANTS ARE ENCOURAGED TO WAIT TIME. THE COURT CLOSURES ARE PUTTING THE PUBLIC THE COURTS SERVE IN A PRECARIOUS POSITIONS. ALREADY BUSINESSES, FAMILY, AND THE PUBLIC AT LARGE ARE FEELING THE IMPACT FROM THE CLOSED COURT.

UNLESS THE JUDICIAL COUNCIL ACTS NOW TO SAVE OUR COURTS, THESE STORIES ARE JUST THE BEGINNING. THANK YOU

>> THANK YOU, MS. DASHER. WE WILL HEAR FROM MS. RACHEL HILL WHO SIBL A JUDICIAL COURT ASSISTANT.

-- WHO I BELIEVE IS A JUDICIAL COURT ASSISTANT.

>> I'M MS. RACHEL HILL AND AM AN ASSISTANT AND LAST MONTH WHEN THE COURT WAS CLOSED, SEVERAL EMPLOYEES AND MYSELF WENT TO THE BUILDING TO SEE WHAT THE EFFECT HAD ON THE PUBLIC. AND WITHIN A

COUPLE OF HOURS THERE WERE 50 TO 60 PEOPLE THAT
SHOWED UP FOR SERVICES BUT THE DOORS WAS LOCKED

MANY HAVE BEEN TOLD BY OTHER GOVERNMENT
AGENCIES TO SHOW UP AND IT WAS NO FAULT OF THEIRS
THEY RECEIVED THE WRONG INFORMATION.

THERE IS A GREAT PROGRAM CREATED TO HELP
FURTHER JUSTICE WHICH ARE UNDERMINED WHEN YOU
CLOSE THE COURT DOORS F.

EVEN PEOPLE IN THE COURT ARE IMPACTED. THEY
ARE CON FEUDS ABOUT THE DEADLINES AND THE
LITIGANTS ARE HIT EVEN HARDER.

MEANWHILE, CASES ARE BACKED UP, EVERY MEMBER
OF THE PUBLIC WHO SHOULD BE SERVED IN A TIMELY
MANNER END UPSTANDING IN THE GROWING LINES.

TO GIVE YOU AN EXAMPLE, A DAILY MISDEMEANOR
COUNT WHICH IS AROUND 150 CASES OR SO, AFTER
FURLOUGH DAY, SOMETIMES THAT NUMBER HAS DOUBLED.

SMALL CLAIMS, CIVIL, FAMILY ARE BACKING UP AND
THE TRAFFIC LINES ARE HORRIBLE.

ATTORNEYS SHOULD KNOW BETTER THAT JUSTICE
DELAYED IS JUSTICE NOT SERVED. THANK YOU FOR
LISTENING TO ME AND YOU GUYS HAVE A BLESSED DAY.
THANK YOU.

>> THANK YOU, MS. HILL. NEXT WE'LL HEAR FROM
MR. TIM BRANDON, A COURT INTERPRETER.

>> GOOD MORNING, CHIEF JUSTICE AND MEMBERS OF THE COUNCIL. I AM TIM BRANDON, A CERTIFIED COURT INTERPRETER. I HELPED TO MAKE SURE THAT PEOPLE ACCUSED HAVE THEIR FAIR DAY IN COURT AND THAT THE VOICES OF PEOPLE WHO HAVE BEEN VICTIMIZED ARE HEARD.

THE COURTS ARE WHAT GIVE US RULE OF LAW. THEY'RE HOW WE RESOLVE DISPUTES IN A CIVILIZED SOCIETY.

WHILE THE COURTS ARE NOW PRIORITIZING CRIMINAL CASES AS THEY DEAL WITH CLOSURES AND REDUCTIONS, THE CIVIL CASES WE HANDLE ARE NO LESS IMPORTANT.

THE FIRST DUTY OF THE COURT SYSTEM IS TO BE OPEN AND ACCESSIBLE TO THE PUBLIC.

WHEN PRIORITIES ARE SHIFTED AWAY FROM THAT, IT IS A SIGN THAT THE LEADERS OF THE JUSTICE SYSTEM ARE FAILING.

IN THIS TIME WHEN UNEMPLOYMENT HAS SOARED OVER 10%, WHEN PUBLIC AND PRIVATE BUDGETS ARE BEING SLASHED TO DEAL WITH CURRENT ECONOMIC REALITY, THE COURT'S FIRST DUTY NOW MORE THAN EVER IS TO REMAIN OPEN AND AVAILABLE TO THE PUBLIC.

WITH THE A.O.C., HOWEVER, WHAT WE HAVE IS THE BUREAUCRACY THAT IS STILL HIRING, STILL GIVING OUT RAISES, WHILE CUTTING SERVICES.

I THINK SOME OF THAT INFORMATION --

>> I THINK SOME OF THAT INFORMATION IS NOT AS ACCURATE.

>> THIS WOULD BE UNACCEPTABLE IN ANY GOVERNMENT AGENCY, BUT FROM THE JUSTICE SYSTEM IT IS ABHORRENT.

THE A.O.C. AND THE JUDICIAL COUNCIL ARE NOT WRONG IN PURSUING INFRASTRUCTURE UPGRADES, INCLUDING AN IMPROVED COMPUTER SYSTEM.

WHERE YOU'VE GONE WRONG IS SACRIFICING THE MOST BASIC, PRIMARY FUNCTION TO PURSUE THE UPGRADES. I RESPECTFULLY URGE YOU TO STOP THE COURT CLOSURES NOW.

DOING SO WILL BE A POSITIVE SIGN FOR THE GROWING NUMBER OF JUDGES, COURT EMPLOYEES, BUSINESSES, AND PRIVATE CITIZENS THAT HAVE BEGUN TO LOSE FAITH IN THE A.O.C.'S WILLINGNESS OR ABILITY TO PUT THE NEEDS OF THE PUBLIC FIRST.

THANK YOU.

>> THANK YOU, MR. BRANDON.

WE'LL HEAR FROM JUDGE DAVID LAMPING, A JUDGE FROM COOK COUNTY.

>> MR. CHIEF JUSTICE AND MEMBERS OF THE COUNCIL, I SPEAK FOR THE ALLIANCE OF CALIFORNIA JUDGES. THE ALLIANCE WAS FORMED IN

SEPTEMBER OF 2009 IN RESPONSE TO OUR
UNPRECEDENTED FINANCIAL CRISIS.

THE ALLIANCE NOW HAS 200 MEMBER JUDGES FROM
APPROXIMATELY 30 COUNTIES.

YOUR MEETING TODAY, OF COURSE, REVISITS THE
ISSUE OF COURT CLOSURES. YOU ARE IN A DIFFICULT
POSITION.

A CONTINUED COURT CLOSURES WILL GENERATE GREAT
CRITICISM. THAT'S APPARENT FROM THE REMARKS YOU
HAVE HEARD TODAY. I WILL NOT REPEAT SOME OF
THEM. THERE'S BEEN REFERENCE TO RAISES GIVEN TO
STAFF, REFERENCES TO THE FUNDS TAKEN FROM THE
TRIAL COURT TRUST FUND, AND APPROPRIATED IN
OCTOBER TO THE EXPENSIVE AND QUESTIONED CCMS
COMPUTER SYSTEM.

YESTERDAY THERE WERE MANY PUBLIC PROTESTS.
IT'S OUR VIEW THAT WE ARE HAVING THIS ATMOSPHERE
OF PROTEST BECAUSE THERE IS A PROBLEM WITH
GOVERNANCE.

THIS COUNCIL, I THINK, HAS APPROPRIATELY
RECOGNIZED THAT IT DOES NOT GOVERN THE TRIAL
COURTS. THE TRIAL COURTS ARE BY LAW
DECENTRALIZED AND ARE MANAGED BY THE TRIAL JUDGES
WHO ARE RESPONSIBLE TO THE PEOPLE OF THEIR
COUNTIES WHO HAVE ELECTED THEM.

YET THERE IS PRESENTLY NO EFFECTIVE STRUCTURE TO ENSURE THAT THE TRIAL COURTS ARE BEING FULLY HEARD.

ULTIMATELY THE ALLIANCE OF CALIFORNIA JUDGES STANDS FOR ACCOUNTABILITY. WE URGE THIS COUNCIL TO WORK WITH THE ALLIANCE OF CALIFORNIA JUDGES. WE URGE YOU NOT TO FIGHT GHOSTS OF OLD BATTLES OF UNIFICATION AND STATE FUNDING, WHICH ARE NOW HISTORY.

WE ASK THAT THIS COUNCIL WITH THE GUIDANCE OF THE LEGISLATURE WE AFFIRM THE RIGHTS OF THE TRIAL COURTS BY A TRIAL COURT BILL OF RIGHTS, THAT THE LEGISLATURE ASK FOR IN 1997.

>> WITH ALL DUE RESPECT, I THINK YOU WERE WELL INFORMED THAT THAT'S NOT AN AGENDA ITEM.

EXCEPTIONS WERE MADE TO HEAR FROM AMERICANS OF THE COURT EMPLOYEES TODAY AND THAT COMMENT ON THE MATTER OF COURT CLOSURES IS THE SUBJECT OF OUR SPECIAL SESSION.

YOU ARE FREE TO COMMUNICATE OTHERWISE YOUR VIEWS ON OTHER ISSUES, BUT YOUR THREE MINUTES TODAY ARE ONLY ON SUBJECT TO THE AGENDA ITEM.

>> -- I'LL RESPECT THAT, MR. CHIEF JUSTICE AND PART OF THE REASON IS THE GOVERNMENT STRUCTURE HAS NOT ALLOWED SUFFICIENT CONSENSUS WITHIN THE

BRANCH SO THESE DECISIONS DO NOT RESULT IN THE PROTESTS. THAT IS THE CONNECTION, I THINK, THAT EXISTS TO MY COMMENTS, BUT I WILL RESPECT YOUR DESIRE.

WHAT I WILL SAY, THEN, IS SINCE I BELIEVE THE COUNCILMEMBERS HAVE MY WRITTEN REMARKS AND YOU CAN REVIEW THOSE, I SIMPLY SAY THAT AS TO THE ISSUE OF THE DAY, WE DO -- I WILL SIMPLY SAY THAT WE URGE YOU TO REMAND COURT CLOSURES AND RECONSIDER THE TRIAL COURT TRUST FUND ALLOCATION MADE IN OCTOBER 2009. WE ASK THAT YOU DISTRIBUTE ALL REASONABLY PRUDENT, AVAILABLE, AND LAWFUL FUNDS TO THE TRIAL COURTS.

WE KNOW THAT SOME OF OUR COUNTIES MAY HAVE TO CONTINUE WITH SOME FORM OF CLOSURE OR FURLOUGH, AND ALTHOUGH IT MAY BE CONFUSING HAVING SOME COURTS OPEN WILL AT LEAST ALLOW MANY CONSTITUENTS THROUGHOUT THE STATE TO RECEIVE SERVICES.

AND IT WILL GIVE OUR LOCAL COURT WHO IS HAVE TO CLOSE OR FURLOUGH THE OPPORTUNITY TO CHOOSE METHODS THAT ALLOW THEM THE MOST FLEXIBILITY.

WE DO KNOW THE VALUE OF SPEAKING WITH ONE VOICE AS A BRANCH. I THINK TO SPEAK WITH ONE VOICE, THAT VOICE MUST FIRST BE FOUND. WORK WITH US TO GIVE THE PEOPLE A VOICE.

THANK YOU VERY MUCH.

>> THANK YOU. WE WILL HEAR NOW FROM MR. CHRIS DOLAN.

>> MR. CHIEF JUSTICE, JUSTICE BAXTER AND MEMBER HONORABLE COMMITTEE, THANK YOU FOR ALLOWING ME TO ADDRESS THIS COMMITTEE. I WALKED THROUGH A STORM, A METAPHOR FOR WHAT WE ARE EXPERIENCING IN THIS BRANCH AT THIS TIME IN THIS ECONOMY.

YOU HAVE SHEPHERDED US THROUGH IT SO FAR, AND I THANK YOU, BUT I DO IMPORE YOU ON THE SUBJECT THAT IS HERE TODAY TO PLEASE END THE COURT CLOSURES. I REPRESENT PEOPLE WHO CAN'T GET IN FRONT OF A JURY.

OUR ORGANIZATION, THE SO YOU REMEMBER ATTORNEYS OF CALIFORNIA, HOLDS THAT AS THE PRIMARY PURPOSE, TO HAVE ACCESS TO A JURY WHICH I BELIEVE IS THE PUREST FORM OF DEMOCRACY THAT EXISTS IN THIS WORLD TODAY.

SO I IMPORE YOU, PLEASE END THE COURT CLOSURES. I ALSO WANT TO THANK YOU ON THIS DAY YOU ACKNOWLEDGE THE UNITY THAT HAS BEEN ACHIEVED THROUGH UNIFY CAUTION.

AS A LAWYER WHO PRACTICES NOW FOR 17 YEARS, MY PRACTICE HAS CHANGED. I HAVE A STATEWIDE

PRACTICE.

I'M CURRENTLY VENUED IN OVER 15 DIFFERENT COUNTIES.

UNIFICATION IS AN INSTRUMENT WHICH HAS HELPED US TO ACHIEVE THE ECONOMIES IN THIS STATE THAT WE NEED AS LAWYERS AND ON BEHALF OF OUR CLIENTS WHO NEED TO KNOW THEY CAN RELY UPON A SET OF RULES THAT DON'T CHANGE FROM DAY-TO-DAY OR COUNTY TO COUNTY. THAT IS JUSTICE.

I DO WISH TO SAY WE FOUND OURSELVES IN AN UNUSUAL SITUATION RECENTLY. WE ARE OFTEN ADMONISHED BY ARGUING AMONGST EACH OTHER, PLAINTIFF AND DEFENDANT. I HOPE THAT THE COURT CAN FIND ITS ONE VOICE AND IT CAN DO SO IN A WAY THAT CONTINUES TO HOLD THE HIGHEST DEGREE OF RESPECT THAT WE HAVE FOR THE COURT BECAUSE YOU ARE AN EXAMPLE.

WE LOOK FORWARD ON BEHALF OF OUR CLIENTS EVEN WITH THE DEFENSE BAR WE ARE MEETING REGULARLY AT THE REQUEST OF THE A.O.C. TO HELP TO FIND SOLUTIONS TO KEEP THE COURTS OPEN.

WE W THE CONSUMER ATTORNEYS OF CALIFORNIA, REMAIN DEDICATED TO ACCESS TO JUSTICE AND HELPING THIS COMMITTEE IN ANY WAY POSSIBLE TO KEEP THESE COURTS OPEN AND TO KEEP JUSTICE DELIVERED.

THANK YOU FOR YOUR TIME AND ALL OF THE WORK
THAT YOU PUT IN TO MAKING SURE THAT THIS GOAL IS
ACHIEVED.

>> THANK YOU.

WE'LL NOW HEAR FROM MR. MARTIN BONINO, PAST
PRESIDENT OF THE CALIFORNIA DEFENSE COUNSEL.

>> THANK YOU. GOOD MORNING TO THE COUNCIL. I
AM MARK BENINO, A LAWYER FROM REDWOOD CITY,
CALIFORNIA. I WOULD LIKE TO THANK THE COUNCIL
FOR THE WORK IT DID LAST SUMMER TERMS OF
ELICITING PUBLIC AND PROFESSIONAL RESPONSES FROM
THE COURT CLOSURE PLAN AND WHEN IT WAS ADOPTED IN
JULY TO THE NOTICE THAT WENT OUT TO ALL THE
LAWYERS THAT MADE THE TRANSITION TO THE COURT
CLOSURE DAYS AS PAINLESS AS POSSIBLE.

THERE WERE SOME BUMPS IN THE FIRST MONTH IN
SEPTEMBER, BUT WITH THE COOPERATION OF THE JUDGES
AND OTHER LAWYERS, THINGS GOT SETTLED AND
SCHEDULED AND THEY HAVE BEEN SCHEDULED GOING
FORWARD.

THE CALIFORNIA DEFENSE COUNCIL REPRESENTS
LAWYER WHO IS DEFEND CIVIL CASES THROUGHOUT
CALIFORNIA, AND WE HAVE BEEN ABLE TO, ALONG WITH
CONSUMER ATTORNEYS, REALLY ADJUST TO THE EXISTING
COURT CLOSURE PLAN WHICH IS SET TO CONTINUE

THROUGH THE ENTIRE FISCAL YEAR.

AND IT'S UP TO THIS COUNCIL WHAT NECESSARY STEPS YOU NEED TO TAKE TO DEAL WITH THE REAL AND SIGNIFICANT BUDGETARY PROBLEM, BUT WHATEVER YOU DO, WE COUNCIL THAT IT BE UNIFORMED AND CONTINUOUS.

AS MR. DOLAN POINTED OUT AND AS YOU ALL KNOW, THE CIVIL LAWYERS, BOTH DEFENSE AND PLAINTIFFS, APPEAR IN MULTIPLE COUNTIES. IF WE HAD DIFFERENT RULES IN DIFFERENT COUNTIES, IT WOULD JUST CREATE MASS CONFUSION WHICH WOULD ULTIMATELY LEAD TO MORE WASTE.

THERE WOULD BE LATE PAPERS FILED, CONTINUATIONS AT THE LAST MINUTE AND AS A RESULT, MORE TIME, NOT LESS TIME WOULD BE UTILIZED.

WE RECOGNIZE THAT THE BURDEN OF THE COURT CLOSURES IN THE REAL SENSE FALLS ON THE JUDGES AND ON THE COURT PERSONNEL WHO HAVE TO DO THE WORK THEY USED TO DO IN 20 OR 21 DAYS NOW IN 19, AND THAT IS UNFORTUNATE SITUATION CREATED BY THE BUDGET.

BUT GIVEN THAT SITUATION, A UNIFORMED COURT CLOSURE PLAN IS THE BEST PLAN, AND THE ONE THAT THE JUDICIAL COUNCIL HAS PUT IN, I THINK, IS FUNCTIONING VERY SMOOTHLY FROM THE STANDPOINT OF

THE CIVIL BAR, BOTH DEFENSE AND PLAINTIFFS.

WE HAVE NOT SEEN ANY MAJOR DELAYS IN ANY KIND OF CIVIL LITIGATION, BE IT TRIAL OR LAW IN MOTION AS A RESULT OF THE EXISTING COURT CLOSURE. .

THANK YOU AND WE URGE YOU TO KEEP IT UNIFORM, WHATEVER IT IS, ON A GOING-FORWARD BASIS.

>> THANK YOU. ALL RIGHT.

NOT THE EQUIVALENT OF THE JUDICIAL HEARING --

>> CAN I GET A PARDON? THAT'S WHAT HAPPENS WHEN YOU WRITE YOUR NOTES ON THE BACK OF A RECEIPT. PERHAPS I WAS LESS THAN CLEAR, YOUR HONOR. I UNDERSTAND THAT THE COURT CLOSURES ARE CURRENTLY BEING CONSIDERED IN THE FUTURE AND WE HOPE THAT IN THE FUTURE WHEN THE COURT REVISITS THIS ISSUE THAT THEY PLEASE BE CONSIDERED FOR STOPPING THE COURT CLOSURES RATHER THAN, IF I WAS MISUNDERSTOOD IN THAT WAY, YOUR HONOR.

>> LET ME ASK FOR CLARIFICATION. ARE YOU VOICING A POSITION, I THINK YOU ARE FORCING A POSITION AGAINST COURT CLOSURES FOR NEXT YEAR.

WHAT IS YOUR POSITION WITH REGARD TO THE REMAINING FIVE DAYS THAT ARE BEFORE US HERE?

TO CONTINUE WITH THE PLAN OR NOT CONTINUE WITH THE PLAN?

>> IF I HAD MY WAY, I WOULD ASK WE HAVE

COMPLETE FUNDING TO NEVER SEE A COURT CLOSURE DATE AGAIN, BUT UNDERSTANDING THE REALITIES OF WHAT WE FACE AT THIS TIME, IT IS MY UNDERSTANDING FROM OUR ORGANIZATION'S STANDPOINT THAT IN THE NEXT FISCAL YEAR AS WE ADJUST TO THIS, THAT THEY PLEASE END.

>> ARE YOU SAYING THAT YOU DO OR DO NOT URGE US TO VOTE FOR THE PROPOSAL?

>> YOUR HONOR, IT IS MY DESIRE TO SEE THEM END AS SOON AS POSSIBLE, BUT UNDERSTANDING THAT WHERE THE COURT FINDS ITSELF CURRENTLY, I BELIEVE IT WAS BEYOND PI PERVIEW TO TELL THE BODY WAD TO DO, BUT WE WILL AND CAN LIVE WITH THEM IF THAT IS WHAT WE MUST DO TO ACCOMPLISH THE GOAL OF MAINTAINING THIS BRANCH AS STRONG AS IT COULD.

AS A LAWYER WHO PRACTICES IN FRONT OF JURIES EVERY DAY, ANY DAY I CAN GET IN FRONT OF A JURY IS A DAY I WOULD LIKE TO HAVE, BUT I UNDERSTAND THE REALITIES THAT WE FACE.

>> YOU AND YOUR ORGANIZATION.

>> WE'RE AGAINST ANY CONTINUATION TO THE NEXT FISCAL YEAR. THAT IS OUR ORGANIZATIONAL STANDPOINT. I'M SORRY IF I'M BEING LESS THAN CLEAR, YOUR HONOR. I AM NOT TRYING TO BE DELIBERATELY VAGUE, BUT ANY ORGANIZATION'S

DECISION IS WE REQUEST THEY NOT BE CONTINUED INTO THE NEXT FISCAL YEAR.

>> JUST WANTED THAT CLARIFICATION.

>> THAT IS EXACTLY MY FEELING, YOUR HONOR, AND OUR ORGANIZATION'S STANDPOINT, AND I THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO CLARIFY THAT.

ALWAYS A PLEASURE TO SEE YOU.

>> THANK YOU.

NEXT WE WILL HEAR FROM MR. HOWARD MILLER.

>> MR. CHIEF JUSTICE, AND DISTINGUISHED MEMBERS OF THE JUDICIAL COUNCIL, I HAVE TO SAY AS I WAS LISTENING TO THE REMARKS, I COULD NOT HELP BUT THINK OF THE OLD BRITISH LEGAL SAYING THAT EVERYONE'S PRESUMED TO KNOW THE LAW EXCEPT HER MAJESTY'S TRIAL JUDGES.

>> I AM HERE TO COMMUNICATE THE OFFICIAL POSITION DEVELOPED IN MAY OF 2009 AND BEFORE WHEN WE WERE BRIEFED ON THE NEED FOR THIS BY THE ACTION OF THE JUDICIAL COUNCIL. AND THE RESOLUTION THAT THEY SUPPORT THE COST-SAVING MEASURES AS PROPOSED BY THE CHIEF JUSTICE AND THE A.O.C. TO HAVE ALL COURTS CLOSE ONE DAY PER MONTH DURING THE FISCAL YEAR TWINE-2010 WHICH OUR UNDERSTANDING WAS THROUGH JUNE IN 2009-2010. IT IS ESSENTIAL TO THE MEMBERS OF THE STATE BAR THAT

THEY PROVIDE CONSISTENT HOURS AND OPERATION
THROUGHOUT THE DATE. AND THAT WAS ADOPTED
UNANIMOUSLY AND NO ONE VOTED FOR THAT HAPPILY,
AND THAT IS AN UNDERSTATEMENT.

IT WAS VOTED OUT OF NECESSITY BECAUSE GIVEN
THE FISCAL SITUATION WE FACE, IT IS, FOR THIS
PERIOD, THE LEAST WORST RESPONSE IN TERMS OF
DEALING WITH THE ECONOMY AND THE KIND OF
BUDGETARY SITUATION WE'RE IN

THERE ARE ALL SORTS OF THINGS WE DON'T KNOW.
WE DON'T KNOW IF WHAT WE ARE FACING IS STRUCTURAL
OR CYCLICAL. TO THE EXTENT IT IS STRUCTURAL, AND
A SUBSTANTIAL AMOUNT OF IT MAY BE, EVERYONE WILL
HAVE TO LOOK AT THE WAY THEY DO BUSINESS.

I HAVE TO ADD THE LAWYERS OF THE STATE OF
CALIFORNIA WILL HAVE TO LOOK AT THE WAY WE DO
BUSINESS U.

THERE IS NO QUESTION THERE ARE INEFFICIENCIES,
I KNOW. I DO CIVIL LITIGATION. CERTAINLY IN
CIVIL LITIGATION AND I THINK THAT WE ALL HAVE TO
LOOK AT THOSE PRACTICES STARTING WITH LAWYERS AND
WITH JUDGES TO REMOVE THE INEFFICIENCIES AND TO
MAKE THE GREATEST USE OF FACILITIES THAT ARE
AVAILABLE.

AND THAT IS SOMETHING THAT HAS TO BEGIN SO

IT'S CLEAR WE ARE PART OF A RESPONSE THAT IS POSITIVE IN TERMS OF LOOKING AT HOW THINGS CAN FUNCTION BETTER INSTEAD OF JUST HOPING FOR A RETURN THAT THIS IS SIMPLY CYCLICAL AND WE CAN GO BACK TO THE OLD WAYS. THERE IS A CHANCE WE CANNOT.

IN ADDITION TO COMMUNICATING THE OFFICIAL POSITION OF THE STATE BAR, I WANT TO ASSURE THE JUDICIAL COUNCIL AND THE MEMBERS OF THE BAR OF THE STATE OF CALIFORNIA WILL WORK WITH THE JUDICIAL COUNCIL AND WITH JUDGES STATEWIDE AND WITH LOCAL JUDGES, AND WE'LL SEEK TO OPERATE AS EFFICIENCY AS WE CAN AND WORK WITH YOU IN TERMS OF CHANGES THAT MAY HAPPEN TO BE MADE IN ORDER TO BRING FURTHER EFFICIENCIES.

AND AFTER ALL, EFFICIENCY HERE GIVEN WHAT WE FACE IS ESPECIALLY FOR OUR CLIENTS FOR TIME AND COST IS A CRITICAL DETERMINATION OF JUSTICE.

THE EFFICIENCIES THAT WE CAN REACH ARE AN ESSENTIAL PART OF THE JUSTICE WE ALL SEEK TO DELIVER.

THANK YOU VERY MUCH FOR THE OPPORTUNITY TO ADDRESS THE COUNCIL.

>> THANK YOU MR. MILLER. I BELIEVE THAT CONCLUDES THE LIST OF INDIVIDUALS WHO HAVE

REQUESTED THE OPPORTUNITY.

>> EXCUSE ME, CHIEF. MAY I SPEAK ON BEHALF OF
PRESIDING JUDGE STEVE WHITE FROM SACRAMENTO.

>> YES.

>> THANK YOU, CHIEF. HE CONTACTED ME --
PRESIDING JUDGE STEVE WHITE CONTACTED ME AS A
MEMBER OF JUDICIAL COUNCIL TO CONVEY TO THE BODY
THE POSITION OF THE SACRAMENTO SUPERIOR COURT. I
CONVEYED TO EACH MEMBER OF COUNCIL THE EMAIL I
RECEIVED WHERE THE POSITION OF THE
SACRAMENTO SUPERIOR COURT AND THE MINIMUM OF THE
58 TRIAL COURTS RESPECTIVELY, AND JUDGE WHITE AND
THE SUPERIOR COURT ECHO THE SENTIMENTS HERE BY
SOME THAT THEY FEEL STRONGLY THAT CLOSURE IS NOT
GOOD FOR THE CIVIL AND CRIMINAL JUSTICE SYSTEM.

AND IT'S THE EMAIL THAT YOU HAVE IN YOUR HANDS
THAT EXPOUNDS ON THAT CONCEPT.

THANK YOU, CHIEF.

>> THANK YOU. IT WAS HANDED OUT TO THE
COUNCILMEMBERS THROUGH EMAIL FROM THE
PRESIDING JUDGE WHITE SUBMITTED.

>> I HAVE ONE VERY BRIEF COMMENT WITH RESPECT
TO MY COLLEAGUE WITH RESPECT TO GOVERNANCE OF OUR
BODY.

THE CONCERNS WERE EXPRESSED THAT BACK IN 1997

WHEN THERE WAS THE BILL WITH RESPECT TO TRIAL COURT BILL OF RIGHTS, THAT NOTHING WAS DONE BY THE JUDICIAL COUNCIL.

I THINK THAT'S CONTAINED IN THE LETTER TO THE COUNCIL. IT IS MY RECOLLECTION THAT, IN FACT, THERE DEFINITELY WAS SOMETHING DONE, AND THERE WAS A WORKING GROUP THAT WAS PUT TOGETHER, AB-233 WORKING GROUP, AND IN FACT, THAT WORKING GROUP DID HAVE AS ONE OF THE MEMBERS A COLLEAGUE OF JUDGE LAMPEY'S, AND AS A RESULT OF THAT WORKING GROUP, AND IT WAS, IN FACT, A SPECIFIC DECLARATION WITH RESPECT TO MANAGEMENT THAT WAS PUT IN A RULE OF COURT.

AND I BELIEVE, IN FACT, RON OVERHOLT WHO IS HERE WAS A MEMBER OF THAT GROUP, AND I JUST DIDN'T WANT THE IMPRESSION LEFT THAT 10 YEARS AGO IN RESPONSE TO SOMETHING FROM THE LEGISLATURE THAT THE JUDICIAL COUNCIL DID NOT ACT TO REAFFIRM A BASIC CONCEPT THAT ALL OF US HAVE WHICH IS THE CENTRALIZED MANAGEMENT AND THE COURTS CONTROL THEIR OWN DESTINY. THAT WAS REAFFIRMED BACK IN 1998 AND CERTAINLY MY RECOLLECTION IS WRONG, A MEMBER OF THE GROUP CAN SET US STRAIGHT.

>> RON?

>> RULE 25.01 WAS ADOPTED AS PART OF THE

WORKING GROUP THAT I WAS A MEMBER OF WHEN I WAS REPORTING THAT GROUP. THE WORKING GROUP CONSISTED OF TRIAL JUDGES AND COURT EXECUTIVE OFFICERS. ALL OF US WERE IN THE LOCAL COURTS.

AND IN A TOUGH ECONOMY AND THE ABILITY TO MANAGE OUR JUDICIAL SYSTEM AS EFFICIENTLY AS POSSIBLE.

WHAT WAS ADDRESSED AND ADOPTED BY THE COUNCIL IN JUNE OF 1998 REFLECTED THE ELEMENTS OF THE "BILL OF RIGHT" REFERENCED IN THE PRIOR LANGUAGE. IT WAS NOT PART OF THE STATUTE, BUT THE ELEMENTS OF THE BILL OF RIGHTS WERE INCLUDED IN THE RULE INCLUDING SECTIONS THAT WERE POINTED OUT.

>> IF I MAY. A JUDGE IN MY COURT WHO WAS ALSO ON THAT WORKING GROUP, THE AB-233 WORKING GROUP, WAS VERY INVOLVED IN THAT AS SHE WAS WITH THE TRIAL COURT BUDGET COMMISSION WAY BACK WHEN. IF I MAY JUST BRIEFLY COMMENT ON TWO THINGS THAT WERE BROUGHT UP.

FIRST, THAT IT WAS MY UNDERSTANDING THAT THOSE BILL OF RIGHTS HAVE BEEN INCORPORATED INTO A RULE OF COURT. THERE WAS NOTHING THAT WAS MISSED, THERE WAS NOTHING THAT WAS IGNORED, OR NOT FOLLOWED THROUGH WITH. AND THESE WERE CODIFIED IN THE GOVERNMENT CODE.

SO NOTHING THAT I KNOW OF THAT THIS BODY OR THIS GROUP THAT WORKED VERY HARD OVER THIS TIME NEGLECTED ANYTHING THAT THE LEGISLATURE WANTED FROM THE BILL OF RIGHTS. SECONDLY, WHAT MOST JUDGES DON'T KNOW, AND I CERTAINLY DIDN'T KNOW WHEN I FIRST STARTED AS A JUDGE OR SEVERAL YEARS INTO THE JUDGESHIP UNTIL I BECAME MORE INVOLVED IN THE ADMINISTRATION OF JUSTICE STATEWIDE AND PROBABLY WHAT HAD VERY LITTLE PUBLIC MEMBERS KNOW IS THERE WAS A BUDGET WORKING GROUP, THE TRIAL COURT BUDGET COMMISSION, FORMALLY KNOWN AS PCBC AND I LEARNED ABOUT THIS LAMER AS I BECAME INVOLVED IN THE COURT EXECUTIVE COMMITTEE.

IT WAS LATER MODIFIED WHEN THE TRIAL COURTS' FUNDING ACT AS CREATED TO BECOME THE TRIAL COURT BUDGET-WORKING GROUP.

I HAVE HAD THE PLEASURE OF BEING A MEMBER OF THIS TRIAL COURT BUDGET WORKING GROUP, AND IT IS COMPRISED OF C.E.O.S AS WELL AS PRESIDING JUDGES ACROSS THE STATE, AND IT TOUCHES, I THINK, ALMOST EVERY SINGLE COUNTY WHO HAS BEEN A MEMBER ON THAT PARTICULAR COMMITTEE.

AND HAD AN OPPORTUNITY TO GO OVER THE BUDGET PROCESS AND THE BUDGET DECISIONS IN DETAIL THROUGH VERY VIGOROUS DEBATE, DISCUSSION, AND IN

MY OPINION COME UP WITH A MUCH BETTER DECISION MAKING PROCESS THAN IF YOU WERE TO HAVE ONE PRESIDING JUDGE FROM EACH COUNTY WHO MOST OF THEM KNOW VERY LITTLE ABOUT THE BUDGET PROCESS WHO WOULD BE FIGHTING AMONGST EACH OTHER TO GET WHAT WOULD BE BETTER FOR THEIR COURT AS OPPOSED TO THE TRIAL COURT BUDGET WORKING GROUP THAT WORK FOR DECISIONS THAT SEEK TO BETTER THE ENTIRE COURTS, TRIAL COURTS, ACROSS THE STATE.

AND WHAT SACRIFICES NEED TO BE MADE AND WHERE MONIES CAN BE SPENT, AND IT IS A LONG PROCESS. THE GROUP MEETS SEVERAL TIMES A YEAR. THEY RECEIVE DOCUMENTS AND INFORMATION FROM THOSE IF THEY HAVE ANY QUESTIONS, THEY CONTACT STEVE NASH WITH OUR A.O.C. FINANCE DIVISION.

AND IT JUST SEEMS TO ME THAT IT'S A VERY STRONG PROCESS WHERE TRIAL COURTS ARE HEARD.

AND THEY'RE HEARD IN THE MOST EFFECTIVE WAY BECAUSE IT'S NOT ONLY THE PRESIDING JUDGES BUT IT'S THE C.E.O.S WHO REALLY KNOW THE BUDGET MUCH BETTER THAN PRESIDING JUDGES DO.

AND SO THIS IS WITH REGARD TO THE CONCERNS THAT SOMEHOW THERE'S NO EFFECTIVE STRUCTURE IN PLACE TO ENSURE JUDGES ARE BEING HEARD, AND I STRONGLY DISAGREE WITH THAT CONCERN AND THAT

FEELING THAT WAS MENTIONED EARLIER TODAY.

THANK YOU VERY MUCH.

>> WE WILL BE MOMENTARILY TAKING UP THE
SUBJECT MATTER ON OUR AGENDA. AND COUNCILMEMBERS
CAN CONTRIBUTE.

REGARDING THE WORDS THAT HAVE BEEN SHARED WITH
US AND WE WILL FORMALLY MOVE ON TO THE AGENDA.

>> ONE BRIEF REMARK, CHIEF JUSTICE. WE HAVE
HEARD FROM JUDGE O'MALLEY WHO IS THE CHAIR OF THE
PRESIDING JUDGES, THE TRIAL COURT PRESIDING
JUDGES AND SITS AS A MEMBER OF THE COUNCIL AS
DOES THE CHAIR OF THE BOARD OF EXECUTIVES
ADVISORY COMMITTEE AND THE PRESIDENT OF THE
CALIFORNIA JUDGES ASSOCIATION.

I THINK YOU HAVE HEARD RATHER ELOQUENTLY FROM
A VOICE FROM THE TRIAL COURT LEADERSHIP, AND IN
MY PROBABLY TOO LONG PRESENCE ON THIS COUNCIL, I
SAY -- I'LL SPEAK ON BEHALF, I GUESS, ON THE
PROCESS AND THEY HAVE DONE A TREMENDOUS JOB OF
SPEAKING OUT THE BROADEST RANGE OF COMMENT AS YOU
SEE IN THE MATERIAL HERE. AND THE FULL RANGE OF
CRITICISM OF PROCESS TO THE SUPPORT OF NECESSITY
AND A WHOLE HOST OF PEOPLE.

THE NOTION THAT SOMEHOW JUDGES AND TRIAL
COURTS ARE BEING FORECLOSED FROM BEING HEARD IS

WHOLLY INCONSISTENT WITH THE STRUCTURE AND WHAT WE JUST HEARD FROM ONE OF THE LEADERS OF THE TRIAL COURT PROCESS.

>> AGAIN, I THANK OUR SPEAKERS AND I BELIEVE THERE WERE NO OTHER MEMBER WHO IS HAD ASKED TO ADDRESS THE COUNCIL. WE'LL MOVE ON TO THE NEXT FORM WHICH IS THE MINUTES OF THE LAST MEETING.

IS THERE ANY COMMENT OR DIRECTION? AWE SO MOVED.

>> SECOND.

>> DISCUSSION? ALL IN FAVOR. OPPOSED?

THIS BEING A SPECIAL SESSION OF COUNCIL, WE WILL NOT HAVE THE CUSTOMARY COMMITTEE CHAIR REPORTS.

WE WILL MOVE RIGHT ON TO THE AGENDA.

WE DO HAVE CONSENT AGENDA ITEMS -- WE DO HAVE TWO CONSENT AGENDA ITEMS. THEIR STATUS IS FROM IF EXECUTIVE PLANNING COMMITTEE REPORT AND REQUEST WE MOVE THOSE IF THERE IS ANY CUSHION. THOSE ARE ITEM NUMBER ONE, A REPORT TO THE LEGISLATURE REGARDING STATEWIDE COLLECTION OF COURT-ORDERED DEBT. AND ITEM TWO IS JUDICIAL COUNCIL-SPONSORED LEGISLATION WITH REGARD TO NEW LONG BEACH COURTHOUSE.

AND I BELIEVE THERE'S BEEN NO REQUEST TO MOVE

THOSE ON TO THE DISCUSSION AGENDA.

THAT MOVES IT ON TO THE FIRST OF TWO DISCUSSION AGENDA ITEMS. ITEM NUMBER THREE IS THE EVALUATION RELATING TO THE COURT CLOSURES AND THE EVALUATION OF THE IMPACTS OF THE ONE-DAY PER MONTH JUDICIAL BRANCH CLOSURES P. IT IS AN ACTION ITEM. AND WE HEARD FROM THE PRESENTATION.

>> THANK YOU, MR. CHIEF JUSTICE. I WILL TAKE A MOMENT TO PROVIDE DISCUSSION ON THIS IMPORTANT ISSUE YOU ARE ADDRESSING TODAY.

IN DOING THAT AND SETTING THE CONTEXT, I WANT TO TAKE US BACK TO LAST YEAR AS WE BEGAN A BUDGET JOURNEY THAT SEEMED TO CHANGE WITH AN INCREASING SERIES OF GRIPS IN THE ECONOMIC PROBLEMS OF THE STATE THAT WERE THE BASIS OF THE RAMIFICATION AND DECISIONS FOR THE JUDICIAL BRANCH. AND IF YOU REMEMBER, WE WENT THROUGH THE FISCAL YEAR 2008-2009, WE HAD THE LEVEL OF THE SUPPORT PROVIDED THROUGH THE STATE APPROPRIATIONS LIMIT TO TRY TO PROTECT THEIR BASE BUDGET FROM THE GROWTH AND ALSO TO TRY TO PROVIDE REASONABLE SUPPORT FOR THE LOCAL LABOR RELATIONS.

AND NEGOTIATING WHAT WERE APPROPRIATE COMPENSATION AND OTHER ISSUES IN THEIR LOCAL COURTS.

THAT FUNDING WAS LIMITED TO ABOUT \$70 MILLION AND MAYBE A LITTLE OVER HALF OF WHAT THE INCREASE IN THE STATE APPROPRIATIONS FUND WAS SUPPOSED TO BE THAT YEAR. WE ALSO HAD A \$92 MILLION ONE-TIME REDUCTION AND THEN AS WE WENT THROUGH THE SPECIAL SESSION GRAPPLING WITH THE PROBLEMS IN OUR STATE BUDGET, THERE WAS \$100 MILLION TRIGGER ADDED TO THE BUDGET REDUCTIONS THAT WAS TO TAKE PLACE IF THE AFFECT OF THE FEDERAL STIMULUS MONEY DID NOT OFFSET ENOUGH OF THE GENERAL FUND COST IN THE STATE OF CALIFORNIA. THAT DECISION WAS TO BE MADE IN APRIL AND IT WAS MADE IN APRIL AND THE ULTIMATE FINDING WHAUZ THE LEVEL OF STIMULUS MONEY FELL SHORT, AND THUS, THE TRIGGER WAS NOT PULLED. THAT IS, IT IS NOT TO \$100 MILLION ONE-TIME REDUCTION.

AND WE HAVE A \$100 MILLION ONE-TIME REDUCTION AS WE MOVED AHEAD.

BUT THE JOURNEY DIDN'T STOP THERE AS WE HAD THE BUDGET DISCUSSIONS OR BUDGET WORKING GROUP WHO HAD ALREADY BEEN DISCUSSED TO SOME EXTENT AND IS PROVIDED FOR WITH A RULE OF COURT WITH 15 PRESIDING JUDGES AND 15 COURT EXECUTIVE OFFICERS AND THE MEMBERS ARE THE DIRECTOR OF FINANCE WHO PARTICIPATE BUT ARE NONVOTING MEMBERS OF THAT

GROUP, AND THAT ARE CHARGED WITH MAKING
RECOMMENDATIONS ON BUDGET ISSUES.

AND AS YOU REQUIRE, ALL OF THEIR
RECOMMENDATIONS COME TO YOU AS PART OF OUR
REPORTS ON DELIBERATIONS ON BUDGET ISSUES.

THEY BEGAN DISCUSSING WHAT ARE THE OPTIONS FOR
ADDRESSING ISSUES AND THAT IS THEIR MEETING FROM
APRIL OF 2009 AND THE FIRST TIME THE ISSUE OF
CLOSURES WERE RAISED AS SOME COURTS REPORTING
THAT MIGHT BE AN OPTION.

AND THERE IS NOT ONE MODEL WITH ONE VOICE.
THERE ARE A VARIETY OF DIFFERENT POSITIONS THAT
WERE DISCUSSED AND WE WERE ASKED BY THE
LEGISLATURE TO COME BACK WITH ALTERNATIVE
APPROACHES TO SIMPLY PASSING OUT THE PRO RAT THAT
SHARE OF FULL BUDGET REDUCTIONS AT THE SAME TIME.
AS THOSE DISCUSSIONS CONTINUED INSIDE THE BRANCH
AND BETWEEN US AND THE OTHER TWO BRANCHES AS WE
MOVED INTO PAY, THE GOVERNOR MADE SOME
ANNOUNCEMENTS ON HIS MAY REVISION PROPOSALS.

AND THEN AS THE LEGISLATIVE CONFERENCE
COMMITTEE PURR PSEUDOITS WORK AND NEARED THE
POINT OF WRAPPING THING -- AND PURSUED ITS WORK
AND MADE THE DECISION AT ONE HEARING TO IMPOSE AN
ADDITIONAL \$168 MILLION ONGOING PERMANENT

REDUCTION AND A \$92 MILLION PERMANENT REDUCTION.
IN THE BUDGET.

AND THEN IN THE NEXT HEARING THE INCREASED
FUNDING UNDER THE STATE APPROPRIATIONS FUND THAT
WAS SUSPENDED IN IT ENTIRETY SO THAT THE EFFECT
IS THE BUDGET COMMITTEE WAS CLOSING OUT AND THERE
WAS NEARLY \$200-PLUS MILLION IN ADDITIONAL
REDUCTIONS.

THE TRIAL COURT BUDGET WORK DISCUSSED THE
CLOSURE ISSUES AND WERE DISCUSSED IN MEETINGS
WITH THE JUDGES AND COURT EXECUTIVES.

THEY EACH HAVE AN EXECUTIVE COMMITTEE OF
APPROXIMATELY 20 MEMBERS THAT DISCUSSED IT IN THE
REGIONS. AND I WOULD SAY IN ALL OF THOSE
SESSIONS, THERE WAS JUST LIKE FOR TODAY VERY MUCH
OF A DIVISION OF VOICES WHERE MANY OF THE COURTS
THOUGHT IT WAS VERY IMPORTANT TO HAVE A CLOSURE
OR MANY OF THE COURTS FELT LIKE THEY HAD WAYS TO
REASONABLY ADDRESS AND MANAGE THEIR BUDGET FOR
THE CURRENT YEAR.

SOME EXPRESSING CONCERN IF THEY WANTED
ASSURANCE THAT THE BUDGET FOR FISCAL TWEER YEAR
10-11 IF THEY WERE REQUIRED TO DIP INTO THE FUND
BALANCES.

YET HERE AS WE LOOK AHEAD, AND AS THE JUDICIAL

COUNCIL BEGAN TO DISCUSS THE ISSUES, I THINK THE PRIMARY CONCERN WAS WHETHER THERE WAS A WAY TO ACHIEVE BUDGET REDUCTIONS AND TO OPERATE AND NOT END UP HAVING WHAT WAS AFFECT AS SOMEBODY DESCRIBED AS 58 DIFFERENT COURT SYSTEMS.

AND WHAT IS AVAILABLE TO YOU IN COURT IS DEPENDENT ON WHERE YOU HAPPEN TO BE INVOLVED IN YOUR AUTO ACCIDENT OR DISSOLUTION OF YOUR MARRIAGE OR WHATEVER.

THAT BECAME THE PRESIDING ISSUE AND THE DIVIDING ISSUE. ULTIMATELY AS WE DISCUSSED ISSUES WITH THE LEGISLATURE IN TERMS OF DISCUSSIONS, THE ASSUMPTION THAT WE WOULD MAKE SAVINGS WITH THE CLOSURE WAS PART OF SOME OF THE DISCUSSION ABOUT HOW WE WOULD USE A WORKABLE BUDGET FOR THE TRIAL COURTS FOR THE YEAR.

AS YOU REMEMBER, THAT INCLUDED THINGS YOU DID IN YOUR JULY MEETING IN TERMS OF REALLOCATING FUNDING AND \$105 MILLION FROM TECHNOLOGY, AND SOME MONEY FROM SECURITY EQUIPMENT THAT WENT INTO THE BUDGET AND A COUPLE OF OTHER SMALLER REALLOCATIONS THAT PROVIDED ROUGHLY \$155 MILLION IN ADDITION TO REVENUE THAT WAS BROUGHT FORWARD WITH THE INSISTENCE OF THE EMPLOYEE ORGANIZATIONS AND FROM INCREASED FILING FEE REVENUES, AND IN

ADDITION TO A SECURITY FEE THAT HELPED OFFSET THE
AX OF THE BUDGET CUTS FOR THE TRIAL COURTS AS WE
WENT THROUGH THAT PROCESS.

IN DECEMBER OF THIS YEAR, YOU TOOK A POSITION
IN TERM OF YOUR PRIORITIES FOR NEXT YEAR TO HAVE
THE NUMBER ONE POSITION TO BE SECURE FUNDING FOR
THE COURTS TO BE OPEN EVERY DAY OF THE YEAR NEXT
YEAR.

THE IDEA THAT CONTINUING OF CLOSURES SHOULD
NOT BE A BUDGET TAMING STRATEGY IN THAT PROCESS
AS WE GO FORWARD.

WE HOPE THAT THIS YEAR WITH KNOWING WHAT THE
ISSUES ARE THAT BETWEEN THE EXECUTIVES AND THE
LEGISLATIVE BRANCH AND THE JUDICIAL BRANCH ARE
PARTNERS WITH THE EMPLOYEE ORGANIZATIONS AND
THERE ARE DISCUSSIONS.

AND IN THE MEETINGS THAT THE CHIEF JUSTICE HAD
WITH THE KWP GOVERNOR IN OCTOBER AND DECEMBER,
THAT IS THE OPINION OF THE CHIEF JUSTICE AND THE
COURTS NEEDED TO HAVE A BUDGET SUBMIT BEING OPEN
ON CERTAIN DAYS AND THE QUALITY LEVEL OF JUSTICE
AVAILABLE ACROSS THE STATE AS WE MOVE AHEAD.

YOU ALSO IN YOUR BUDGET PLAN FOR THE CURRENT
YEAR, YOU MADE SOME ASSUMPTIONS ON JUDICIAL
SALARY SAVINGS BY OFTEN ONLY THE TRIAL COURTS

THAT HAVE BEEN REALLOCATED EACH MONTH TO THE COURT BECAUSE YOU MADE AN ASSUMPTION IN THE BUDGET THAT A CERTAIN AMOUNT OF REVENUE WOULD BE SEEN THROUGH THE SAVINGS.

WE KNOW THAT SOME COURTS USED THE STATUTORY PROVIDED SALARY WAGE AND SOME HAVE HAD DIRECT CONTRIBUTIONS THAT THE COURTS HAVE USED CONTRIBUTIONS TO A FOUNDATION BY GIVING BACK TO SUPPORT THE COURTS IN A PROCESS U.

WE'LL BE ASKING THE BUDGET-WORKING GROUP TO REVIEW THAT TO SEE IF THERE ARE ANY ADJUSTMENTS TO BE MADE AND HOW THE MONEY WAS ALLOCATED FOR ALL OF THE 58 COURTS TO BE EQUITABLE AND HOPEFULLY THERE WILL BE A REPORT BACK FROM THE WORKING GROUP.

WE WILL CONTINUE TO WORK ON THAT ISSUE AS WE PROCEED.

AND FINALLY, AS YOU ADDRESS THIS, WE NEED TO DO IT IN THE CONTEXT OBVIOUSLY OF THE LEGISLATURE INVOLVED IN A SPECIAL SESSION TO CLOSE A \$6 BILLION GAP IN THE CURRENT YEAR AND POSTING THE BUDGET FOR NEXT YEAR WITH THE REMAINING \$14 BILLION THAT NEEDS TO BE ADDRESSED.

WE'RE TOLD THAT CONGRESS IS SUPPOSED TO BE ASKING FOR FEDERAL STIMULUS FUNDS TO ASSIST US IN

THE STATE OF CALIFORNIA AND PART OF THE KWP GOVERNOR'S PROPOSAL HAS A TRIGGER RELATED TO THAT OF UNDER \$100 MILLION ONE-TIME REDUCTION TO ANTICIPATE FEDERAL FUNDING.

SO WE'LL BE WAITING THE ULTIMATE DECISION OF THE FEDERAL GOVERNMENT ON THOSE ISSUES.

THE GOVERNOR ALSO IN HIS BUDGET TOOK SOME MINOR STEPS THAT ARE HELPFUL TO THE JUDICIAL FWLAFRJ RESPONSE TO THE REQUEST THAT THE BRANCH AND INCREASES IN HEALTH CARE AND EMPLOYER'S ENVIRONMENT AND HAS AGREED TO REACH THE BRANCH AND THE BUDGET AND FUNDING FOR THAT PROCESS.

HE ALSO PROPOSED SOME ADDITIONAL FUNDING THROUGH FEE REVENUES RELATED TO TRAFFIC OFFENSES OR TRAFFIC OFFENSES THAT HE IS SUGGESTING YOU HAVE AND THE CHIEF JUSTICE IN THE NEXT 60 DAYS, HIS REVIEW, AND THE OFFICIAL ACTIONS AND WILL BE AN END TO THE CLOSURES AND TO REMAIN OPEN NEXT YEAR AND SO THE DISCUSSION WE HAVE TODAY WITH THE INFORMATION FROM THE TRIAL COURTS ON THEIR VIEW OF WHAT THEY'RE FACING IN THE CURRENT YEAR.

YOU WILL FIND A DIVERSITY OF VIEWS ON ISSUE.

AND WE HAVE INFORMATION FROM THE JUSTICE SYSTEM PARTNERS WHO HAVE RESPONDED TO ISSUES IN THE COURTS AND WHAT THEY ARE FACING.

WHAT YOU DO NOT HAVE IS THE SECOND SURVEY THAT THE TRIAL COURTS HAVE BEEN WORKING ON WHICH IS LOOKING AT THE NEXT THREE YEARS. THE BUDGET YEAR AND THE FOLLOWING YEARS THAT BECOME CRITICAL DUE TO HOW WE ADDRESS THINGS.

I THINK AT THE CENTER OF ALL OF THIS IS WHAT I UNDERSTAND TO BE YOUR POSITION AND WHAT THE CHIEF JUSTICE STATED IN HIS POSITION TO THE "GOVERNOR AND THAT IS THAT THE COUNCIL AND WILL NOT STAND BY AND PERMIT A LARGE NUMBER OF COURTS TO CLOSE AND EMPLOYEES LAID OFF NEXT YEAR AND OTHER THINGS.

THE CHALLENGE IS TO HAVE A MULTIFACETED APPROACH.

IT WILL AVOID THOSE CONSEQUENCES.

AND TRY TO ADDRESS THOSE ISSUES. AND THE RECOMMENDATIONS THAT ARE BEFORE YOU SUGGEST THE FOLLOWING. ONE IS TO CONTINUE THE CLOSURES IN THE CURRENT FISCAL YEAR, AND THEN REAFFIRM YOUR POSITION AND DIRECTION THAT THEY NOT BE DEPLOYED FOR THE NEXT YEAR IN THE PROCESS. AND THEN FINALLY TO DISCUSS GUIDELINES THAT MIGHT BE ASSISTANCE TO THE LOCAL TRIAL COURTS AND THE CONCERNS AND THE CONSISTENCY OF OPERATION IN COURTS ACROSS THE STATE. AND THAT IS TO DEVELOP

GUIDELINES THAT ARE ASSUMING THAT THE FUNDING IS ACHIEVED AND THAT IS ADEQUATE TO SUPPORT THE DAY-TO-DAY OPERATION OF THE COURTS.

THERE ARE INDIVIDUAL COURTS THAT HAVE EITHER THE YEAR OR DURING THE COURSE OF THE YEAR THAT HAVE SIGNIFICANT PROBLEMS AND WOULD HAVE GUIDELINES TO IMPLEMENT A LIMITED SLOW DOWN OR COURT CLOSURE PROCESS THAT WOULD ALLOW THEM TO PROVIDE ORDERS AND TO HANDLE ARRAIGNMENTS AND A VARIOUS OF OTHER THINGS SO THE INDIVIDUAL DECISIONS THAT MAY BE NECESSARY FOR CERTAIN COURTS WOULD BE AVAILABLE TO THEM, BUT AVAILABLE IN A WAY THAT WOULD, AGAIN, SUPPORT NOT HAVING THE SEVERITY OF COURTS CLOSING ACROSS THE STATE OF CALIFORNIA.

I WANT TO RETURN THE TIME OVER TO RON TO ADD A FEW OTHER COMMENTS.

AND IF I MIGHT GO OFF AGENDA FOR A MOMENT AND RESPOND TO SOME OF THE COMMENTS ABOUT HOW WE ALL ARE TRYING TO ADDRESS BUDGET REDUCTIONS BECAUSE I KNOW IT'S PAINFUL FOR EVERYONE.

AND ALL OF OUR PARTNERS HAVE CONSISTENTLY TRIED TO CONTRIBUTE TO FIND SOLUTIONS EVEN WHERE WE HAVE DISAGREEMENTS ON STRATEGIST.

AS IT RELATES TO THE VISIBILITY OF THE A.O.C.

AND WHAT IT IS DOING, I WANT TO INDICATE THAT THERE HAVE BEEN SIGNIFICANT CHANGES AND IF YOU LOOK AT THE VACANCY RATES OF THE TRIAL COURTS AND THE A.O.C. AND OUR APPELLATE COURTS AND EVEN EXECUTIVE BRANCH. AND THEY HAVE HELD A SUBSTANTIAL NUMBER OF POSITIONS VACANT AFTER ELIMINATING 77 PERMANENT POSITION AND THE VACANCY RATE IS ABOUT 10.9%. AND OUR TRIAL COURTS IS 8.5% IN THE COURT OF APPEALS. 7% IN OUR SUPREME COURT. AND LIKE OTHER AREAS, THE A.O.C. EMPLOYEES ARE INVOLVED IN MANDATORY FURLONGHS THIS YEAR. U. PARAGRAPH THEY DID NOT SEE AN INCREASE -- IT IS ONE OF THE AREAS THAT DID NOT HAVE ABLE CERTAIN INCREASES TO THEM.

AND THEY DO NOT HAVE INCREASES AND PRIOR TO THAT THEY HAD HAD REDUCED INCREASES IN PRIOR YEARS.

THE PAST TWO YEARS AND RESULT OF THE BUDGET CONSEQUENCES IN OUR STATE.

AND IN ADDITION -- AS A RESULT OF THE BUDGET CONSEQUENCES IN OUR STATE.

AND THEY DID NOT HAVE A COLA ADJUSTMENT LAST YEAR OR IN THE CURRENT YEAR IN THOSE AREAS.

SO THE PARTNERS AND THE TRIAL COURTS AND EXECUTIVE BRANCH, WE ATECHTED TO TAKE STEPS TO

CONSERVE -- WE ATTEMPTED TO TAKE STEPS TO
CONSERVE CRITICAL ACTIVITIES AND OTHERWISE
SUBSTANTIALLY REDUCE THE LEVEL OF OPERATION AND
THIS YEAR AND NEXT YEAR AND LIKELY THE FOLLOWING
YEAR AFTER THAT AS WE MOVE AHEAD. AND WE ARE
WORK TOGETHER IN AN EFFORT TO FIND A SOLUTION
THIS YEAR AND SOMETHING THAT HOPEFULLY LAYS THE
FOUNDATION TO BE ABLE TO ADEQUATELY AND MORE
SATISFACTORY ADDRESS ISSUES IN JULY 1 OF 2010.

RON, I'LL TURN IT OVER TO YOU AND STEPHEN WILL
GO OVER THE FINANCIAL DETAILS AND DONNA WILL TALK
ABOUT THE RESPONSE OF THE TRIAL COURTS AND THE
RESPONSE FROM THE JUSTICE SYSTEM PARTNERS.

THERE'S QUITE A DIVERSITY OF VIEWS IN THOSE
AREAS OF THE COUNCIL.

>> THANK YOU, CHIEF. THE JUSTICE SYSTEM WAS
FACED WITH A \$414 MILLION REDUCTION TO OUR FUND
TO THE STATE THIS YEAR ON A BUDGET OF ABOUT \$3.5
BILLION, SO THAT IS A HUGE REDUCTION,
UNPRECEDENTED IN TERMS OF SIZE, AND WHILE AS WE
BEGAN DISCUSSING THE POSSIBILITY OF COURT
CLOSURES AS WELL AS OTHER MEASURES THAT COULD BE
TAKEN LAST SPRING, I THINK ALL OF US FELT LIKE WE
WOULD NEVER UTTER THOSE WORDS LET ALONE RECOMMEND
THAT THE COURTS BE CLOSED, BUT AS THE YEAR WENT

ON AND WE HAD THREE DIFFERENT BUDGETS ADOPTED BY THE STATE DURING THE COURSE OF THE FISCAL YEAR AND THE BUDGETS KEPT GETTING WORSE AND WORSE, COURT CLOSURES WERE ON THE TABLE AND WERE DISCUSSED AS A WHOLE RANGE OF OTHER APPROACHES TO BE ABLE TO DEAL WITH THAT \$414 MILLION.

IT IS NOT A SILVER BULLET. THERE WAS NO SILVER BULLET AND IT IS NOT A SHOT TO BE ABLE TO DEAL WITH THAT MAGNITUDE.

AND YOUR COUNCIL ALLOCATED \$168 MILLION FROM SPECIAL FUNDS DURING THE COURSE OF THE YEAR TO OFFSET THE CUTS TO THE TRIAL COURTS INCLUDING \$105 MILLION FROM THE CASE MANAGEMENT SYSTEM. AND \$25 MILLION FROM THE FACILITIES FUND.

AND THERE WERE A NUMBER OF BOTH REALLOCATIONS AND SPECIAL FUNDS AS WELL AS COST SAVING MEASURES THAT WERE IMPLEMENTED TO TRY TO DEAL WITH THIS IN ADDITION TO THE COURT CLOSURES. WHEN WE FIRST BEGAN DISCUSSING THE COURT CLOSURES, IT WAS ESTIMATED WE COULD ABSORB \$100 MILLION OF THE \$414 MILLION IN REDUCTIONS THROUGH A ONE-DAY COURT CLOSURE.

AS DISTASTEFUL AS THAT IS AND WE HAVE CERTAINLY HEARD AND UNDERSTAND AND AGREE WITH THE IMPACTS THAT WE HAVE HEARD AND SOME OF THE

IMPACTS THAT YOU WILL SEE IN THE REPORT AND WHEN DONNA GOES OVER THAT, BUT THE ALTERNATE IMPACTS WOULD HAVE BEEN FAR WORSE IN OUR VIEW.

AND THAT WOULD HAVE MEANT PERMANENT REDUCTIONS TO COURT BUDGETS AND REDUCTION IN STAFFING AND LAYOFFS AND OTHER IMPACTS THAT WOULD BE DIRE FOR THE TRIAL COURT.

AS DISTASTEFUL AS COURT CLOSURES WERE, THEY WERE ONE OF A NUMBER OF ALTERNATIVES THAT YOU ALL CHOSE FROM IN TERM OF TRYING TO DEAL WITH WHAT WAS A MASSIVE, HUGE, REDUCTION IN BUDGETS.

THE ONLY OTHER PLAN I'LL MAKE IS IT'S BEEN SAID IN A NUMBER OF VENUES THAT THE COUNCIL TOOK THIS ACTION AND UNPRECEDENTED TO CLOSE THE COURTS AND NEVER EVEN IN THE GREAT DEPRESSION THE COURTS WERE NEVER CLOSED. THAT IS NOT ACCURATE.

COURTS WERE CLOSED IN THE 1990'S WHEN COUNTIES WERE GOING THROUGH SEVERE BUDGET CUTS AND THE CALIFORNIA SUPREME COURT RULED ON A CASE IN 1996 WHERE THE SUPERIOR COURT WAS SUING THE COUNTY BECAUSE THE COUNTY WAS CLOSING THE COURTS BETWEEN THE WEEK BETWEEN CHRISTMAS AND NEW YEAR'S.

>> I RECALL BEING THE AUTHOR OF THAT. YOU NEVER FORGET ANY OF THOSE.

>> AND THERE WERE OTHER SUCH CLOSURES WHERE

COUNTIES WOULD CLOSE DOWN AND COUNTY GOVERNMENT WOULD BE CLOSED BETWEEN CHRISTMAS AND NEW YEAR'S AND THOSE KINDS OF THINGS AND COURTS WERE SUBJECT TO ACTIONS BY THE COUNTY.

WHILE WE DON'T RECOMMEND THE COURT CLOSURES AS AN ONGOING WAY TO DEAL THE BUDGET SHORTFALLS, THIS WAS NOT THE FIRST TIME THE COURTS HAVE BEEN CLOSED.

SO, AGAIN, OUR GOAL AND YOUR GOAL THAT YOU ADOPTED IN DECEMBER WAS TO ADVOCATE FOR A BUDGET THAT RESTORES THE COURTS TO BE ABLE TO BE OPEN EVERY SINGLE DAY OF THE YEAR AND HAVE A FULL-TIME COURT SYSTEM, NOT A PART-TIME COURT SYSTEM GOING FORWARD.

NOW STEPHEN WILL GO OVER SOME OF THE BUDGET INFORMATION AND THE IMPACT ON THE COURT CLOSURES AND WHAT IT'S MEANT SO FAR, AND DONNA WILL GO OVER THE SURVEY OF THE RESPONSES.

>> THANK YOU, MEMBERS OF THE COUNCIL. JUST TO DIVE RIGHT IN ON THE FINANCIAL ISSUES, SO WHEN THE ISSUE OF CLOSURE WAS ORIGINALLY BEING DISCUSSED WITH A BUDGET WORKING GROUP AND WITH THE COUNCIL, AND WITH THE LEGISLATURE, THE NUMBER AND THE ESTIMATE THAT WE WERE LOOKING AT OR SAVINGS THAT WOULD ACCRUE OR THE COST REDUCTION

THAT WOULD ACCRUE RELATED TO THE CLOSURES FOR THE ENTIRE BRANCH WAS \$113 MILLION.

AND THAT AMOUNT WAS ALWAYS ASTERISKED. THE ASTERISK BEING THAT LOCAL MANAGEMENT AND THE COURTS WOULD DECIDE HOW TO HAVE THE CLOSURES IMPLEMENTED AND THE SPECIFICALLY WITH REGARD TO LOCAL IMPACT. AS WELL AS WORKING WITH THE SHERIFFS AND THE COURT SECURITY.

THAT IS FOR THE TRIAL COURTS AND THE APPEAL ON A.O.C. AND THAT \$113 MILLION.

AND THE OTHER PROMISE THAT \$113 MILLION REST ON WAS 12 DAYS.

>> WE SURVEYED ALL COURTS AND GOT RESPONSES ON THE FINANCIAL PART OF IT FROM 57 COURTS. AND WE ALSO LOOKED AT THE PHOENIX ACCOUNTING SYSTEM.

THE OTHER PREMISE THAT \$113 MILLION-DOLLAR RESTS ON WAS 12 DAYS.

THAT WAS A FULL YEAR COUNCIL LEGISLATURE IF THIS WAS IN PLACE FOR THE FULL ENTIRE YEAR, AND ASSUMING WE HAD 4.26% SAVINGS TIMES PAYROLL IS WHAT THE NUMBER WOULD BE.

>> THESE WERE MONTHS ALREADY IN THE BOOK.

HOW MUCH COST REDUCTION OCCURRED AS A RESULT OF THE CLOSURE FOR THOSE THREE MONTHS, WE ASKED THE COURT WHAT WOULD THE PROJECTED COST REDUCTION

BE TO THE FOLLOWING SEVEN PLAN DAYS IF CLOSURE WAS TO CONTINUE.

AS REFLECTED IN THE TABLES, WE HAVE TABLES IN THE REPORT.

TABLES 1A, 1B, AND 2A, AND YOU WILL SEE THE INFORMATION WE ARE DISCUSSING.

>> WE ARE LOOKING AT \$4.58 MILLION.

FOR THOSE OF YOU LOOKING AT THE TABLES, TABLE 1A IS THE TRIAL COURT INFORMATION REPORTED INFORMATION.

TABLE TWO IS FOR THE COURT OF APPEAL, SUPREME COURT AND AOC.

I'M GOING TO COMBINE THAT IN MY DISCUSSION HERE.

THE PROJECTION WAS \$4.58 MILLION FOR THOSE THREE MONTHS OF CLOSURE.

FOR THE COURTS OF APPEALS, WE ARE LOOKING AT \$3.9 MILLION OF COST REDUCTION.

FOR A TOTAL OF \$18.362 MILLION, COST AVOID ANSWER, COST REDUCTION FOR THOSE THREE MONTHS.

BASED UPON THAT INFORMATION, AGAIN, WE ASK THE COURT, WE DID OUR OWN ANALYSIS OF WHAT WOULD THE REST OF THE YEAR LOOK LIKE IN TERMS OF PROJECTION IF THE CHANGES CONTINUE.

FOR THE TRIAL COURTS \$32.8 MILLION COURT

REDUCTION.

FOR COURTS OF APPEAL, \$6.8 MILLION COST
REDUCTION FOR A TOTAL PROJECTION OF 44.982.

I WANT TO CAUTION, AS WE LOOK AT THE NUMBERS,
THAT AGAIN, THAT WAS THREE MONTHS.

EXTRAPOLATING FROM THE THREE MONTHS, I ASSUME
WE SAVED, AS OF YESTERDAY'S CLOSURE, JUST OVER
\$30 MILLION STATEWIDE BASED ON THIS INFORMATION.

THE TOTAL WE WERE LOOKING AT PROJECTED FOR THE
YEAR IS \$50.344 MILLION RELATE TODAY THE BRANCH
RELATED TO THE CLOSURE.

IF CLOSURE WAS TO BE DISCONTINUED, WHAT IS NOT
ALREADY SAVED AND IN THE BANK WOULD BE ABOUT
\$30 MILLION THAT YOU WOULD BE DEALING WITH.

ALSO, REALLY INFORMATIONAL TABLE ONE B -- 1B
THAT WAS INCLUDED, THIS IS WHERE COURTS
IDENTIFIED THAT THEY DID ALTERNATIVE FURLOUGHS.

THESE ARE STAFF FURLOUGHS AND OTHER
IDENTIFICATIONS THAT WERE RELATED TO THE CLOSURES
BUT NOT DONE ON THE CLOSURE DAYS.

WE ATTACHED THAT INFORMATION AND THAT
PROJECTED FOR THE YEAR ABOUT 8 MILLION-DOLLAR.

THE SECOND THING I WANTED TO TALK TO YOU
ABOUT, THERE'S BEEN AREA OF QUESTION RELATED TO
PARTICULARLY, THE VOLUNTARY SALARY WAVER

INFORMATION ON THE TABLES.

THE ORIGINAL ESTIMATE THAT WAS INCLUDED IN THE 113 MILLION-DOLLAR ESTIMATES, WE HAD NO IDEA WHAT THE PARTICIPATION WOULD BE.

WE BASED OUR INITIAL ESTIMATES OF SAVINGS, ASSUMING 75% OF JUDGES STATEWIDE WOULD PARTICIPATE IN THE VOLUNTARY WAVE OF PROGRAMS.

WHAT WE DIDN'T KNOW AT THAT TIME WAS THAT THERE WOULD BE FAIRLY LIVE LOCAL DONATION PROGRAMS BEING DEVELOPED AS WELL.

LET ME REPORT TO YOU SOME OF THAT INFORMATION.

IN REVIEWING THE NUMBER OF VOLUNTARY SALARY WAIVERS THE JUDGES IDENTIFIED, 65% PARTICIPATED IN THE VOLUNTARY SALARY WAIVER PROGRAM.

45% OF THE JUDGES PARTICIPATED IN THE DONATION PROGRAM.

YOU PUT THE TWO TOGETHER, AND THERE IS OVERLAP, I'M TOLD.

THERE IS DATA THERE, PUTTING THE TWO TOGETHER, LOOKING AT 95% OF JUDGES STATEWIDE LOOKING AT EITHER VOLUNTARY SALARY WAIVERS.

RELATED TO THE ISSUE, POPPED UP, LET ME TAKE YOU BACK TO THIS ALLOCATION THAT THE BODY MADE TO THE COURT IN THE END OF JULY.

A PORTION OF THE ALLOCATION THAT THIS BODY

MADE RELATED TO \$5 MILLION.

THAT WAS AN INITIAL ESTIMATE OF VOLUNTARY
SALARY MONEY ESTIMATED TO COME IN.

THIS BODY ACTED TO ALLOCATE 100% OF THE
VOLUNTARY SALARY WAIVER BACK TO THE STATES.

AT THE FRONT, A \$5 MILLION ESTIMATE WAS PUT
INTO THE ALLOCATION.

AS WE REPORTED, WE WOULD COME BACK TO YOU
LATER IN THE YEAR TO GIVE YOU UPDATED, REAL
SAVINGS NUMBERS FROM THE VOLUNTARY WAIVER
PROGRAM, AND 100% OF THAT WOULD GO TO THE COURTS
TO OFFSET COURT REDUCTIONS THAT OTHERWISE WOULD
BE FELT IN THE OPERATION'S BUDGET.

>> STEVE, I JUST WANT TO CLARIFY WHAT WAS
GIVEN IN CONSOLIDATION INFORMATION OUT THERE.

[NO AUDIO]

>> THAT'S CORRECT, CHIEF.

AGAIN, THE COUNCIL ALLOCATED 5 MILLION-DOLLAR.

AS REFLECTED IN OUR TABLES, RIGHT NOW WE ARE
ESTIMATING BASED ON CURRENT PARTICIPATION LEVELS
WILL BE \$5.1 MILLION.

WE'LL CONTINUE TO MONITOR THAT, SO WE BELIEVE
WE ARE CLOSE.

AT THE LEAST, THERE ARE FUNDS THAT LOOK TO BE
ACCRUED IN THE PROGRAM BY THE END OF THE YEAR.

CONSISTENT WITH YOUR DIRECTION AND ACTION,
THAT WILL BE INCLUDED IN WHAT YOU HAVE ALREADY
ALLOCATED, THE \$5 MILLION.

THE PROGRAM WAS NEVER GOING TO TAKE ANY OF
THAT FUND AND MOVE IT TO TECHNOLOGY OR AOC OR ANY
OTHER PURPOSE.

IT WAS CLEAR FROM THE INITIAL ACTION TO
ALLOCATE FUNDS, THE PURPOSE OF THE MONEY WAS TO
GO BACK TO THE COURTS.

>> THANK YOU.

>> TO CLARIFY ALSO, THE COUNCIL HAS NO
AUTHORITY TO MOVE THE BUDGET TO AOC OR VICE
VERSA, BUDGETS OF THE APPELLATE COURTS TO THE
TRIAL COURTS OR AOC.

>> BECAUSE OF THE PRINCIPLES OF MANAGEMENT,
TRIAL COURTS CARRY OVER FUNDING.

>> THAT'S CORRECT.

IT WOULD HAVE TO BE APPROPRIATED BY THE
LEGISLATURE.

THE LEGISLATURE APPROPRIATES TRIAL COURT
SPECIAL FUNDS FOR ALLOCATION, AND THEY WOULD HAVE
TO BE SEPARATELY APPROPRIATED.

THAT HAS NOT BEEN DONE.

BILL HAS DIRECTED THAT WE GO BACK, CONSISTENT
WITH THE OPERATION OF THE COUNCIL, GO BACK TO THE

BUDGET WORKING GROUP, PROVIDE THE UPDATED INFORMATION THAT WE NOW HAVE AND THAT IS BEING GATHERED AS RELATED TO THE VOLUNTARY SALARY PROGRAM AND LOCAL COURT PROGRAM, TO MAKE SURE IN THE FINAL ALLOCATION OF THE MONEYS THIS YEAR, WE END UP WITH AN EQUITABLE ALLOCATION OF RESOURCES CONSISTENT TO THE OVERALL BUDGET AS POSSIBLE.

WE'LL CONVENE TO GO OVER THIS ISSUE VERY SOON.

>> THANK YOU.

>> THANK YOU, CHIEF.

MEMBERS.

FOLLOWING THE COUNCIL'S DIRECTION AT THE JULY MEETING, THE COMMISSION OF INPUT WAS ON THE IMPACT OF THE CLOSURE PUTTING OPERATIONS INTO VIEW, AFFECTS ON THE DELIVERY, WE ALSO SAW INPUT FROM THE STAKEHOLDERS, ATTORNEYS, CRIMINAL DEFENSE ATTORNEYS, STATE BAR, COUNTIES, AND COUNCIL.

THE SURVEYS WERE SENT OUT LATE NOVEMBER, EARLY DECEMBER.

THE SURVEYS GENERALLY WERE SENT OUT LATE NOVEMBER, SO WE WOULD HAVE THREE MONTHS OF EXPERIENCE UNDER OUR BELT TO GET A SENSE OF WHAT THE IMPACTS WERE.

THE SUPREME COURT, ALL COURTS OF APPEAL, AND

54 SUPERIOR COURTS BY DECEMBER 31ST, HAD
RESPONDED TO THE SURVEY.

175 JUSTICE PARTNERS RESPONDED TO THE SURVEY
SENT OUT.

IN ADDITION TO THE QUESTIONS THAT WERE ASKED
TO ELICIT FINANCIAL INFORMATION, COURTS WERE
ASKED WHETHER SOME OR ALL WERE FURLOUGHED THE
COURT CLOSURE DAYS, WHETHER THERE WERE OTHER
FURLOUGH DAYS AND THE IMPACTS ON THE COURT SYSTEM
AND IMPACTS AS A RESULT OF THE FORE DAY.

THE COURT WAS ASKED ABOUT ADDITIONAL ACTIONS
THEY HAD TAKEN.

JUSTICES AND PARTNERS WERE SIMILARLY ASKED
ABOUT THE COURT CLOSURES ON THEM AS WELL AS
IMPACTS TO CLOSURES ON A WEDNESDAY, AS WELL AS
ASKING THEM ON THE BENEFITS OF UNIFORM STATE-WIDE
CLOSURE DAYS.

THE COUNCIL REPORT THAT YOU HAVE IN FRONT OF
YOU PROVIDES THE DETAILS, SO I WILL NOT REPETE
ALL OF THAT, BUT I WANT TO PROVIDE YOU WITH SOME
OF THE HIGHLIGHTS.

I WANTED TO SET THE STAGE BRIEFLY, AS WE KNOW,
WHEN THE COUNCIL MANDATED THE FORES IN JULY, IT
WASN'T DONE LIGHTLY, AND IT WAS AS THOUGH YOU
MANDATED THE CLOSURES BECAUSE YOU ANTICIPATED

THERE WOULD BE NO IMPACT ON THE COURTS.

RATHER, I THINK THE COUNCIL RECOGNIZES THE IMPACT WOULD HAVE BUT FELT WE NEEDED TO CREATE A VIABLE TOOL IN THE SHORT-TERM, COMPARED TO THE BUDGET WE FACE.

THE QUESTION IS, NOT WERE THERE NEGATIVE IMPACTS OF THE COURT CLOSURES.

WE ANTICIPATED THERE WOULD BE, BUT RATHER, HAVE THEY EXCEEDED WHAT YOU ANTICIPATED.

>> BASICALLY, THE COST BENEFIT.

>> I WENT TO LAW SCHOOL SO I DIDN'T HAVE TO DO COST BENEFITS.

>> ACCORDING TO MY ECONOMIC'S CLASS, YES, THIS IS WHAT IT IS.

TALKING ABOUT OPPORTUNITY HERE.

IT WAS WITH BUSINESS BACKGROUND AND KNOWING WHAT THE EXPECTATIONS WERE THAT I WAS STARTLED BY THE NUMBERS REPORTING THERE WAS NO OR MINIMAL IMPACT TO THE COURT CLOSURES.

ESPECIALLY THE NUMBER OF JUSTICES THAT REPORTED THAT.

SOME JUSTICE PARTNERS OF ALL OF THE CATEGORIES WE SURVEYED REPORTED POSITIVE IMPACT OF THE CLOSURES.

THEY HAD A DAY OUTSIDE OF COURT TO DO OFFICE

WORK AND CATCH UP.

SOME SAID THIS WAS PARTICULARLY HELPFUL MIDWEEK IN THE MIDDLE OF A TRIAL, SO THEY HAD TIME TO PREPARE.

THE SURVEY RESPONSE SHOWED A GLARING LACK OF CONSISTENCY IN HOW THE COURT CLOSURES AFFECTED COURT OPERATIONS AND COURT USERS.

I WANT TO RETURN BRIEFLY TO THE KEY QUESTIONS OF THE SURVEY.

FIRST, WE ASKED SPECIFICALLY ABOUT THE IMPACT GENERALLY OF THE COURT CLOSURES, THE JUSTICE PARTNERS.

AS I WAS PREPARING MY COMMENTS AS TO HOW TO STRUCTURE THIS PART OF MY PRESENTATION, I WAS STUMPED.

THE COUNCIL REPORT SHOWS TO YOU THE RESPONSES OF THE COURT WERE VARIED, ALL OVER THE BOARD ON HOW THE COURT CLOSURE IMPACTED THEM, REGARDLESS OF THE SIZE OF THE COURT.

THE REPORT INDICATES BY SIZE OF THE COURT, USING THE RAZ MODEL, WHAT SOME OF THE REPORTS WERE.

THE SAME IS TRUE OF THE JUSTICE DEPARTMENT.

THERE IS NO GOOD WAY TO CATEGORIZE THE INFORMATION WE RECEIVED ON THIS ISSUE BECAUSE IT

VARIED WIDELY FROM NO KNOWN IMPACT, TO SIMILAR IMPACT TO A COURT HOLIDAY OR WEEKEND DAY, TO SIGNIFICANT OR SUBSTANTIAL IMPACT ON COURT USERS.

INSTEAD OF PROVIDING SOMETHING THAT IS NOT AN ACCURATE PICTURE, WHAT I THINK I CAN DO IS POINT YOU TO THE REPORT AND MENTION A FEW OF THE IMPACTS REPORTED.

THERE WERE REPORTS OF TWICE AS MUCH MAIL PROCESSED BEFORE.

LONG LINES, FRUSTRATED COURT USERS BEFORE AND AFTER COURT USER DAYS.

INCREASED CALENDAR CONGESTION, CALENDARS BEING MOVED AROUND, EXTENDING JURY TRIALS TO A SECOND WEEK, NOT SCHEDULING JURIES TO MORE THAN TWO DAYS.

WE ALSO ASKED ABOUT PLANNING.

THE SURVEY RESPONSES AGAIN, WERE ALL OVER THE BOARD.

THE ONE THING THAT WAS CLEAR TO ME WHEN REVIEWING THE RESPONSES, WAS THAT WHATEVER DAY WAS SCHEDULED WOULD HAVE BEEN PROBLEMATIC TO SOME COURT OR JUSTICE SYSTEM.

I HAVE NOTES ON THIS ISSUE BECAUSE I THINK IT SUMMARIZES THE SITUATION WELL.

IN RESPONDING TO THE SURVEY, SOME COURTS

RESPONDED THAT WEDNESDAY WAS THE COURT'S BUSIEST DAY.

SOME SAID THE OPPOSITE.

SOME SAID FRIDAY'S WERE LIGHTEST, AND FRIDAY SHOULD HAVE BEEN SELECTED.

OTHER COURTS SAID MONDAYS WERE THE BUSIEST.

OTHERS SAID MONDAYS WERE THE LIGHTEST.

THE JUSTICE SYSTEM PARTNERS REPORTED SIMILARLY.

THOUGH THERE WAS A LOT OF INDICATION FROM THE COURT'S THAT RESPONDED TO THE SURVEY THAT WEDNESDAY WAS NOT THE OPTIMAL DAY, NOT THE DAY THEY WOULD HAVE SELECTED, WHAT BECAME CLEAR TO ME AS I WAS LOOKING THROUGH THESE RESPONSES, I CAN'T IMAGINE A DAY THE COUNCIL WOULD HAVE SELECTED THAT WAS NOT A PROBLEM BECAUSE OF A PARTICULAR SITUATION IN THE LOCAL COMMUNITY ABOUT WHAT WAS SCHEDULED ON CERTAIN DAYS, AND A VARIETY OF LOCAL PRACTICES ON WHEN DAYS OF THE WEEK JURY TRIALS HAPPEN, ARRANGEMENTS AND A VARIETY OF OTHER ISSUES.

>> [NO AUDIO]

>> FRIDAYS OR MONDAYS WOULD BE CHOSEN BY MOST IF THEY HAD THE CHOICE?

>> I WOULD SAY THAT IS PROBABLY AN ACCURATE

REPRESENTATION OF WHAT THE COURTS REPORTED.

MORE THAN NOT WOULD HAVE PREFERRED MONDAY OR FRIDAY, HOWEVER WE ARE FACED WITH COMMENTS, FROM A COUPLE OF THE SHERIFFS THAT RESPONDED TO THE SURVEY, THAT SAID, THANK GOD YOU DIDN'T SELECT MONDAY OR FRIDAY.

THE IMPACT ON JAIL DETENTIONS AND A VARIETY OF OTHER FACTORS COULD HAVE BEEN SUBSTANTIAL HAD YOU SELECTED MONDAY OR FRIDAY.

AGAIN, THERE IS NO DAY THAT THERE WILL NOT BE A PROBLEM.

WHEN WE SELECTED MONDAY, WE THOUGHT OF SOMEONE ARRAIGNED ON FRIDAY NOW HAVING TO SPEND NOT ONLY FRIDAY IN JAIL BUT SATURDAY AND SUNDAY IN JAIL.

>> I TAKE IT ALSO THAT THERE WOULD BE SOME DISRUPTION, ASSUMING THE COUNCIL WILL CONTINUE TO LOOK AT THE DISRUPTIVE CLOSURES.

>> SOME SAID WEDNESDAY WOULD BE PROPMATIC.

THEY HAVE CALENDARS.

TO READJUST THE CALENDARS WOULD BE DIFFICULT, DEFINITELY.

ONE OF THE THINGS THAT PROBABLY HAD THE GREATEST CONSISTENCY AT THE TIME RELATE TODAY THE COUNCIL'S DECISION THAT UNIFORMITY WAS REQUIRED STATEWIDE ON THE DAY.

THREE TO ONE RESPONSE FAVORING THE UNIFORMITY.

THEY DIDN'T LIKE THE SELECTION, BUT IF THERE WAS CLOSURE, UNIFORMITY WAS BEST DECISION.

>> IN THE JUSTICE DEPARTMENT, THE RESPONSE WAS GREATER.

FINALLY, ONE FINAL POINT I WANTED TO MAKE.

THE SURVEYS ASKED ABOUT OTHER ACTION TAKEN.

COURTS REPORTED HIRING FREEZES, CLOSURES OF THE COURTROOM AND SIMILAR ACTIONS.

THESE CLOSURES ALSO HAD SIGNIFICANT IMPACT ON THE ABILITY TO FUNCTION.

>> THEY HAD BEEN FORCED TO TAKE SIGNIFICANT REDUCTIONS, HIRING FREEZES AND HAD A GREATER IMPACT, SUBSTANTIALLY GREATER IMPACT ON COURT OPERATIONS THAN THE MONTHLY CLOSURES.

IN LIGHT OF THE COMMUNICATION PRESENTED TO COUNCIL EARLIER, I THINK IT WOULD BE FAIR FOR ME TO TELL THE COUNCIL THAT ONE OF THE COURTS INDICATED, HAD A GREATER IMPACT.

>> CHIEF AND COUNCIL, YOU HAVE COURT CLOSURES ON THE THIRD WEDNESDAY OF THE MONTH THROUGH THE END OF JUNE 2010.

KEEPING COURTS OPEN AND ACCESSIBLE TO THE PUBLIC IS OF PRIORITY.

THIS ADVOCATES SUFFICIENT FUNDS AND THREE, TO

ADMINISTRATE THE DIRECTOR OF COURTS IN THE
JUDGE'S ADVISORY COMMITTEE, ADMINISTRATIVE
ADVISORY AND THE APPELLATE CLERK ADMINISTRATOR TO
CONSTRUCT GUIDELINES TO DEAL WITH THE SHORTAGES
THAT MAY OCCUR NEXT YEAR, AND IF THERE ARE COURT
CLOSURE, TO DEVELOP CONSISTENCY SO THE PUBLIC
WOULD KNOW WHAT WAS HAPPENING IN THOSE COURTS
LOCALLY.

THAT WOULD COME BACK TO THE COUNCIL
APRIL 30TH.

>> THERE WILL BE THE OPTION AVAILABLE?

>> EVEN IF FUNDED, SOME MAY RUN INTO PROBLEMS.

>> THOSE ARE THE RECOMMENDATIONS.

>> ALL RIGHT.

COUNCIL DISCUSSION?

FURTHER QUESTIONS?

>> YES?

>> THANK YOU, CHIEF.

I HAVE A COUPLE OF QUESTIONS.

THANK YOU FOR THE REPORT.

I THINK THAT'S THE MOST TELLING INFORMATION ON
PAGE 22 AND PAGE 23, WHERE WE LOOK AT WHAT COST
SAVING MEASURES ARE BEING TAKEN WITH THE
CLOSURES.

WE SEE THAT 30 COURTS ALREADY HAVE HIRING

FREEZES.

NINE COURTS ARE ALREADY REPORTING LAYOFFS.

SEVEN MORE ARE CONSIDERING LAYOFFS.

YOU KNOW, WITH EVERY LAYOFF, THAT MEANS MORE
BACKLOG.

BACKLOG MEANS JUSTICE DELAYED.

12 COURTS ARE REDUCED COUNTER HOURS.

IF SOMEONE CAME ON A REGULAR COUNTER HOUR ONLY
TO FIND OUT THEY WERE CLOSED AT THAT TIME, IT'S
LIKE COMING ON THE DAY THEY ARE CLOSED.

MY POINT IS, I DON'T WANT US FIRST, TO FOOL
OURSELVES INTO THINKING THAT WHEN WE REOPEN THE
COURT EVERY WORKING DAY, THAT SOMEHOW JUSTICE
WON'T BE DELAYED.

THAT WILL MEAN MORE OF THESE THINGS.

UNTIL WE FIND THE MONEY, MORE LAYOFFS.

THAT'S ABHORRENT TO ME, AND I THINK TO
EVERYONE.

JUST AS ABHORRENT AS CLOSING COURTS.

MY QUESTION TO YOU IS -- IF I HAD A BAILIFF,
HE WOULD TAKE THAT AWAY RIGHT NOW.

MY QUESTION IS, ARE WE LOOKING AT WHY THE
DICHOTOMY?

WHY 30 COURTS ARE DOING THIS, BUT 28 AREN'T.

WHY SOME COURTS ARE FURLOUGHING EMPLOYEES

DURING THE CLOSURES, AND WHY SOME AREN'T.

MARY ANNE WAS TALKING ABOUT THE BUDGET GROUP
AND THAT WE ARE SUPPOSED TO BE ON THE SAME LEVEL.

WE ARE NOT, ARE WE LOOKING INTO IT?

>> TO SOME EXTENT IT'S HISTORICAL AS TO HOW
COUNTY COURTS ARE FUNDED.

ONE OF THE FINDINGS OF THE CHIEF JUSTICES IN
CALIFORNIA AND THE CHIEF JUSTICE OF 1996, WAS
DISPARITY AND FUNDING PROVIDED TO TRIAL COURTS.

SOME COUNTIES THAT WERE WELL-TO-DO, WERE
FUNDED WELL.

OTHER COUNTIES LIKE ALAMEDA, TRYING TO FUND
SOCIAL WELFARE AND HEALTHCARE AS A NUMBER ONE
PRIORITY, THOSE COURTS FELL BEHIND.

WE MADE ATTEMPTS TO PROVIDE EQUITY IN STATE
TRIAL COURT FUNDING.

IT'S A PROCESS THAT TAKES A VERY LONG TIME
GIVEN WE WERE PART OF COUNTIES, RATHER.

PART OF IT, JUST OVER TIME TRYING TO IMPRESS
THESE CONCLUSIONS.

>> ONE OTHER THING, MAYBE THE MOST DIFFICULT
PART TO GETTING EQUALIZATION, IS DISPARITY OF THE
NUMBER OF JUDGES AVAILABLE COURT WIDE.

DEPENDING ON HOW THEY ARE FUNDED, SIMPLY
PROVIDING THE FUNDING WITHOUT HAVING THE JUDGES

IN PLACE, DOESN'T REALLY GET US TO EQUITY ACROSS THE BOARD.

THERE IS ALSO AN UNDERSTANDABLE APPROACH IN MANAGEMENT.

COURTS ARE USING FUND BALANCES TO TRY TO MAINTAIN CURRENT OPERATIONS, IN ADDITION TO THE FACT THAT THE COURTS ARE NOT FUNDED AT DIFFERENT LEVELS.

YOU MAY BE ABLE TO AMPLIFY THAT MORE.

>> YOU CAN ADDRESS RESPONDING TO BILLS, CIRCUMSTANCES THAT I BELIEVE EXIST, THAT THOUGH WE HAVE BEEN UNDER STATE FUNDING FOR A LONG TIME, SOME OF THE INEQUITY GOES BACK TO STATE FUNDING.

>> THAT'S CORRECT.

ACTUALLY, CHIEF, AND JUSTICE, I THINK THE BIGGEST ISSUE IS HISTORICAL FUNDING AND JUDGESHIPS AND STAFFING THAT HAS INCURRED OVER TIME FROM COURT TO COURT.

ALSO, THIS IS A LOCALLY MANAGED COURT.

DIFFERENT DEPLOYMENT DECISIONS OVER RESOURCES OCCUR COURT TO COURT, AND WE SEE COLLECTIVE BARGAINING, SO WE SEE DIFFERENT RESULTS COURT TO COURT.

EVEN IF, AND WE ARE FAR FROM THAT, WE HAVE MADE STEPS IN THAT DIRECTION, IF ALL FUNDING WAS

EQUAL, AND EVERYTHING WAS THE SAME, EACH COURT
MAKES DECISIONS ABOUT HOW THEY ARE GOING TO
DEPLOY THE RESOURCES IN DIFFERENT WAYS.

BILLS MENTION ONE OF THE ONES WE SEE THIS
YEAR.

SOME HAVE DIPPED INTO THE RESERVES MORE THAN
OTHER COURTS.

SOME SAYING, WE HAVE TO MAKE STRUCTURAL
CHANGES.

OTHERS ARE SAYING LET'S USE SOME OF THE
RESOURCES THAT ARE HERE FOR THE RAINY DAY WHILE
WE FIGURE OUT AND SEE WHAT HAPPENS AT THE STATE
LEVEL AS FAR AS RESOURCES.

WE HAVE SEVERAL DYNAMICS GOING HERE THAT
RESULT IN THE FISCAL IMPACT YOU ARE TALKING
ABOUT.

>> QUESTION?

>> JUDGE EDMOND?

>> CHIEF, I WANTED TO SAY THAT I APPRECIATE
THE COMMENTS YOU MADE AT THE BEGINNING OF THE
SESSION ABOUT THE IMPORTANCE OF ACCESS.

I WENT BACK BEFORE THE MEETING AND LOOKED AT
OUR STRATEGIC PLAN.

GOAL NUMBER ONE, THE FIRST WORD IS "ACCESS."

IN THAT GOAL, WE SAY WE ARE GOING TO COMMIT

OURSELVES TO BREAK DOWN BARRIERS AND ACCESS COURT.

WHATEVER WE DO AS A BODY TODAY, I HOPE WE SEND A STRONG MESSAGE THAT WE AS A COUNCIL FIND IT TO BE A STRONG PRIORITY TO PROVIDE ACCESS TO THE COURT.

TO QUIBBLE WITH THE LANGUAGE IN THE STAFF REPORT, I DON'T THINK IT'S "A" PRIORITY.

WE OUGHT TO MAKE IT LOUD AND CLEAR THAT IT IS A TOP PRIORITY OF THE COUNCIL.

WE ARE TALKING ABOUT ADEQUATE FUNDING FOR THE COURTS.

IF WE ALL HAD ADEQUATE FUNDING TO KEEP EVERY COURT OPEN EVERYDAY OF THE YEAR, WE WOULDN'T BE TALKING ABOUT COURT CLOSURES.

THE PROBLEM IS, THE COURTS HAVE NOT BEEN ADEQUATELY FUNDED.

PART OF THE DISCUSSION THAT IS TROUBLING TO ME, THE LETTER, FOR EXAMPLE, THAT WE GOT OF JUDGE ROSENBERG, AS I UNDERSTAND HIS POSITION, HE SAYS WE HAVE ENOUGH FUNDS WITH TAKING CERTAIN COST MEASURES HERE.

WE HAVE ENOUGH TO KEEP THE DOORS OPEN.

WE THINK WE SHOULD KEEP THEM OPEN.

WE WANT TO KEEP THEM OPEN.

THAT IS COMPELLING TO ME.

I UNDERSTAND THERE ARE A NUMBER OF OTHER COUNTIES THAT FALL INTO THAT CATEGORY.

ONE OF THE REASONS WE MADE THIS DECISION WAS OUR CONCERN ABOUT UNIFORMITY AND CONSISTENCY.

WE HAVE HEARD FROM THE LAWYERS HOW IMPORTANT THAT IS TO THE BAR TO HAVE UNIFORMITY AND CONSISTENCY.

WHEN I MIX ALL OF THAT TOGETHER, THE WAY I COME OUT IS THINKING THAT MAYBE WE SHOULD BE LOOKING AT A SLIGHTLY DIFFERENT QUESTION.

RATHER THAN LOOKING AT THE CONTINUED UNIFORM CLOSURE OF THE COURTS, WHAT WE OUGHT TO BE DOING AS A BODY IS DOING EVERYTHING THAT WE CAN TO DEMONSTRATE THAT WE FIND WAYS AND LOOK FOR WAYS TO KEEP THE COURTS UNIFORMLY OPEN.

I WOULD SUGGEST THAT THERE ARE ADDITIONAL THINGS THAT WE OUGHT TO DO IN THAT REGARD, AND ADDITIONAL INFORMATION THAT I WOULD LIKE TO HAVE AS A BODY BEFORE WE VOTE ON THE ISSUE OF CLOSURES AGAIN.

LET ME GIVE AN EXAMPLE.

IT IS NOT CLEAR TO ME WHAT ADDITIONAL FUNDING IS NECESSARY -- AS I UNDERSTAND THE QUESTION BEFORE IT IS, WE ARE ADDRESSING THE QUESTION OF

COURT CLOSURES FROM HERE TO THE FISCAL YEAR AT THE MOMENT.

IT'S NOT CLEAR TO ME WHAT ADDITIONAL FUNDING WOULD BE NECESSARY TO KEEP THE DOORS OPEN IN OUR COURTS DURING THAT PERIOD.

I READ IN THE WRITE UP WE WERE LOOKING AT A \$45 MILLION SAVINGS FROM DECEMBER TO THE END OF THE YEAR, AND NOW FROM JANUARY, STEVEN SAID \$30 MILLION FROM NOW TO THE END OF THE YEAR.

IT'S NOT ENTIRELY CLEAR TO ME THAT IT WOULD TAKE THAT MUCH TO KEEP THE COURTS OPEN.

IT APPEARS THAT THERE ARE LOTS OF COURTS OUT THERE THAT SAY, WE WOULDN'T HAVE TO DO THIS.

I DON'T KNOW THAT THEY WOULD HAVE TO BE CALCULATED INTO THE FACTOR.

THEY MAY HAVE ENOUGH MONEY TO KEEP THEIR DOORS OPEN.

IN ORDER TO FIGURE OUT WHAT THE TRUE FINANCIAL SITUATION OF THE COURTS ARE AROUND THE STATE, ONE PIECE OF ADDITIONAL INFORMATION WE MAY HAVE ACCESSIBLE TO US, NOW OR SHORTLY, ARE THE TEMPLATES THAT JUDGE OH MALLEY'S GROUP REQUESTED THE COURTS TO COME UP WITH BY THE END OF THE YEAR.

I UNDERSTAND EACH OF THE COUNTIES WERE ASKED

TO RUN A SPREAD SHEET OF A THREE YEAR PROJECTION
OF WHAT THEIR FINANCIAL SITUATION WILL BE,
FUNDING ASSUMPTIONS AND WHAT THEY'LL LOOK LIKE
SHOULD THE ASSUMPTIONS HOLD TRUE.

>> I TALKED TO THEM ABOUT NEEDING TO GET THAT
INFORMATION BEFORE THE COUNCIL.

WHEN I LAST TALKED TO STEVEN ABOUT IT, AS I
UNDERSTOOD IT, NOT ALL THE INFORMATION IS IN AND
THE GROUP HAS NOT VIEWED ALL OF THE INFORMATION.

WHETHER THIS IS IN A SUMMARY FORM, THE WRITE
UPS THEY DO ARE SO VALUABLE, BUT WHETHER THAT
FORM OR RAW DATA, I THINK IT'S IMPORTANT FOR US
TO KNOW WHAT IS THE FUTURE OF OUR COURT THIS
FISCAL YEAR AND THE NEXT TWO FISCAL YEARS AS WE
MAKE DECISIONS ABOUT COURT CLOSURES AND OTHER
ISSUES WITH RESPECT TO FUNDING.

LET ME ADD ONE MORE THING.

I HAVE BEEN TOLD BY STEVEN AND OTHERS THAT THE
PURPOSE OF GATHERING THE INFORMATION WAS TO MAKE
OUR CASE, AS WE GO TO THE LEGISLATURE TO TALK
ABOUT WHAT THE IMPACT IS ON THE COURTS, WE NEED
THAT INFORMATION TO INFORM THE LEGISLATURE.

I THINK THAT'S TRUE.

I THINK THAT'S A POWERFUL TOOL FOR US TO HAVE
AS WE GO TO THE LEGISLATURE.

IT'S IMPORTANT FOR US INTERNALLY IN THE BRANCH FOR US TO MAKE DECISIONS AS TO HOW WE SPEND THE FUNDS AND WHAT IS HAPPENING AROUND THE STATE AS WE HEAD THROUGH THESE TROUBLING TIMES.

THE BOTTOM LINE FOR ME, I THINK KEEPING THE COURTS OPEN IS OUR TOP PRIORITY, WILL REMAIN OUR TOP PRIORITY, AND WE SHOULD HAVE THESE TEMPLATES TO MAKE INFORMED DECISIONS ABOUT THE BRANCH AND WE SHOULD LOOK UNDER EVERY ROCK FOR WHATEVER FUNDS WE HAVE ACCESSIBLE AND AVAILABLE TO US, PERHAPS TO BE REDIRECTED IN ORDER TO MAKE SURE THE COURTS KEEP OPERATING AND OPEN.

I DON'T THINK WE HAVE ALL THAT INFORMATION BEFORE US TODAY, SO I THINK IT'S PREMATURE TO VOTE ON THE ISSUE OF CLOSURES.

MAYBE AT THE END OF THE DAY, WE'LL DECIDE IT'S PRUDENT TO GO FORWARD WITH STATEWIDE CLOSURES.

I THINK WE OWE THE PUBLIC AND COURTS AND EMPLOYEES TO LOOK EVERY WAY WE CAN TO SEE IF WE CAN KEEP THE COURTS UNIFORM.

>> AS THE ASSISTANT PRESIDING JUDGE OF THE LARGEST COURT IN THE STATE, THE L.A. SUPERIOR COURT, ON ITS OWN BEFORE THE JUDICIAL COUNCIL, ENGAGED IN ITS OWN VOLUNTARY COURT-BASED CLOSURE PLAN.

I ASSUME YOU HAVE ACCESS TO THE KIND OF INFORMATION YOU ARE URGING ON A STATEWIDE BASIS, INFORMATION THAT WOULD EDIFY OUR DECISION MAKING, TO BE RELEVANT TO ROUGHLY ABOUT A THIRD OF THE STATE?

>> WE HAVE PROVIDED THAT INFORMATION IN THESE TEMPLATES THAT HAVE BEEN COLLECTED.

THE INFORMATION IS IN THE SITUATION.

WITH OUR FUNDING SITUATION THE WAY IT IS, WE ARE NOT ABLE TO BE OPEN EVERYDAY.

WE HAD TO GO TO FURLOUGHS BEFORE.

IF WE DIDN'T HAVE CLOSURES, BASED ON WHAT WE KNOW RIGHT NOW WITH THE FUNDING WE HAVE, WE WOULD HAVE TO CONTINUE WITH FURLOUGHS IN THE FUTURE.

THE ISSUE IS, IS THERE ADEQUATE FUNDING.

>> WE LOST OUT STATEWIDE IN THE FIRST TWO MONTHS OVER CLOSURES BECAUSE OF THE DELAYS.

HOW MANY MONTHS WERE THE STATEWIDE CLOSURES INITIATED?

>> WE DID TWO, BEGINNING?

JULY OF THE NEW FISCAL YEAR.

>> IF I MIGHT RESPOND TO A COUPLE OF ITEMS.

FIRST OF ALL, AT THE COUNCIL'S LAST MEETING, THE MINUTES SHOW THE COUNCIL VOTED TO ADVOCATE THE SECURE BUDGET OPEN AND OPERATING EVERY COURT

DAY WHICH IS THE SESSION REPEATED IN THE
RECOMMENDATIONS HERE.

IT'S HARD TO DISAGREE WITH THE PROPOSITION
THAT WE NEED MORE INFORMATION.

EVERY CIVIL LAWYER WILL TELL YOU THAT.

SOMEWHERE IN THE PROCESS, WE ARE NEVER
FINISHED UNTIL WE HAVE TURNED OVER THE LAST ROCK.

I CAN'T QUARREL WITH MORE INFORMATION, AND I
CAN'T QUARREL WITH LOOKING EVERY UNDER ROCK.

ALL OF THAT SAID, WHEN WE STARTED THIS PROCESS
AND TALKED ABOUT FORE, WE KNEW FULL WELL SOME
COURTS WERE IN THE POSITION WHERE THEY DIDN'T
HAVE TO CLOSE.

THEY HAVE ENOUGH MONEY.

OTHERS HAVE A SURPLUS AND DON'T HAVE TO CLOSE.

THE COUNCIL KNEW THAT.

WE ALSO KNEW THERE WAS ADEQUACY TO TAKE ALL OF
THE MONEY, LEGISLATION TO TAKE ALL OF THE MONEY
FROM THE 1407 FUND.

THERE ARE A LOT OF ISSUES THAT WE KNOW ARE ON
THE TABLE AND HAVE BEEN OUT THERE.

WE MADE THE DECISION ON THE BASIS THAT WE
NEEDED INFORMTY.

WE HEARD FROM THE LAWYER GROUPS THAT IT'S
IMPORTANT TO THEM TO KNOW THAT THEY ARE NOT

GETTING ONE DAY IN ONE COUNTY, ANOTHER SOMETHING ELSE, AND BEING UNABLE TO ADJUST TO THE DOCKETS OR CLIENT'S AFFAIRS, SO UNIFORMITY BECAME AN IMPORTANT ISSUE.

WE PUT THIS ON THE AGENDA WAY BACK WHEN WE MADE THE DECISION BECAUSE WE WANTED TO SEE WHERE WE ARE.

NOT VOTING TODAY IS A VOTE.

THE COUNCIL VOTED TO CLOSE THE COURTS FOR THE BALANCE OF THE ENTIRE FISCAL YEAR.

IF WE DO NOTHING, WE CAN COME BACK IN FEBRUARY AND DECIDE WHATEVER WE WANT TO DO.

MY ASSUMPTION IS LOS ANGELES COURTS WILL CLOSE COME JUNE COME HELL OR HIGH WATER BECAUSE THERE ARE NOT ENOUGH ROCKS OUT THERE TO DEAL WITH THEIR ISSUES.

I BELIEVE THIS IS TRUE WITH A NUMBER OF OTHER COURTS AS WELL.

STEVEN POINTED OUT THAT EVEN WITH COURT CLOSURES, COURTS ARE ENGAGING IN EXTRAORDINARY MEASURES TO SAVE MONEY AND TRY TO FUNCTION.

THERE IS A GREAT DISPARITY AROUND THE BRANCH.

WHAT WE HAVE TRIED TO DO IS GET A RATIONAL, PREDICTABLE PROCESS.

IF WE STOP THE COURT CLOSURES IMMEDIATELY --

OF COURSE, IF WE TRIED TO STOP THEM IN FEBRUARY, I'M SURE LOS ANGELES AND A NUMBER OF OTHER COURTS WOULD GO NUTS TRYING TO GET THEIR CALENDARS IN LINE.

IF WE WAIT, IT'S NOT GOING TO MAKE AN IMPACT IN ANY EVENT.

THE BOTTOM LINE IS THAT WE NEED TO FIND AT LEAST \$30 MILLION IN ROCKS IF WE DECIDE TO STOP THIS PROCESS.

THAT SORT OF ASSUMES THAT THE BUDGET PEOPLE, TRIAL COURT BUDGET WORKING GROUP, FINANCE PEOPLE HAVE BEEN LIVING IN A CLOSET THIS LAST YEAR AND HAVEN'T BEEN LOOKING FOR EVERY DIME, NICKEL AND PENNY THEY CAN FIND TO KEEP THIS THING AFLOAT.

I THINK IT'S WORTHWHILE TO ASK THE AOC DIRECTOR TO COME BACK TO US IN FEBRUARY AND TALK TO US ABOUT WHAT IS THE STATUS OF SAVINGS, FORES, WHAT OPTIONS, IF ANY, MIGHT PRESENT THEMSELVES TO US.

I WOULD ASK THEM TO COME BACK IN APRIL AGAIN TO TELL US WHERE WE ARE, SO WE HAVE AN IDEA.

THE NOTION THAT WE SHOULD NOT VOTE ON THIS TODAY MEANS WE ARE NOT GOING TO DO ANYTHING.

I THINK IT'S A GREAT COMMUNICATION TO THE OUTSIDE WORLD, PARTICULARLY THE LEGISLATURE THAT

STUCK THEIR NECK OUT AND PROVIDE US WITH THE AUTHORITY, TO SAY, WE DON'T KNOW IF WE WANT TO DO THIS.

LET'S COME BACK IN A MONTH OR SO AND LOOK AT IT.

IN THE MEANTIME, WE'LL DO SOMETHING ELSE.

COURT CLOSURES SUCKS.

NO ONE HERE IS AN ADVOCATE FOR IT.

ON THE OTHER HAND, WE RECOGNIZE IT'S LIKE RUNNING YOUR HOUSE.

YOU HAVE ALL THE MONEY YOU HAVE, YOUR CREDIT CARDS ARE MAXED OUT AND YOU HAVE TO FIND A WAY TO DEAL WITH IT.

THE STAFF POINTED OUT A UNIFORM METHOD OF ADDRESSING THE PUBLIC.

WE ALL KNOW CLEARLY, ONE OF THE CONSEQUENCES, AND IT'S NOT A BAD CONSEQUENCE, THE CONSEQUENCE OF CENTRALIZED MANAGEMENT, VARIOUS APPROACHES, PEOPLE MAKE VARIOUS MISTAKES.

THE DECISION BEFORE US NOW, TELLS US, IF THERE IS A RATIONAL ALTERNATIVE TO BALANCE THIS FISCAL YEAR, WE'LL CONTINUE WITH THE DEDICATION THAT WE ARE NOT OF A MIND TO WANT TO DO THAT IN THE NEXT FISCAL YEAR.

WE'LL TAKE EVERY STEP WE CAN TO PREVENT IT.

I WOULD MOVE FOR APPROVAL OF THE
RECOMMENDATIONS AT THE TABLE.

>> THE SMALL, WORKING GROUP THAT HAS BEEN
REALLY VERY BUSY, A PART OF THE PRESIDING JUDGE'S
COMMITTEE, GOT TOGETHER, KNOWING WHAT WE COULD BE
FACED WITH IN THE FUTURE.

THAT WAS CUTS THAT WE KNEW OF, AND FUTURE CUTS
EXPECTED, THAT WE HOPED COULD BE ALLEVIATED.

WE GOT TOGETHER TO STRATEGIZE AND DISCUSS THE
BEST WAYS FOR US TO HANDLE IT, RATHER THAN TO SIT
BACK VICTIMS TO ANOTHER ROUND OF HARSH BUDGET
CUTS.

ONE OF THE STRATEGIES WE THOUGHT WE WOULD
EMPLOY WAS THE SURVEY.

GOD KNOWS, THESE COUNTIES HAVE BEEN INUNDATED
WITH SURVEYS WITH REGARD TO THE COURT CLOSURES,
AND WITH REGARD TO THE SMALL COMMITTEE IMPOSED
UPON THEM, AND HOPED THIS WOULD HELP STRESS TO
THE LEGISLATURE, THAT THESE CUTS ARE CUTTING THE
CRITICAL RESOURCES OF THE CUTS, IMPACTING THEM IN
A DEVASTATING WAY, AND HOW IN REAL NUMBERS,
DOLLARS, AND REAL LIVE EXAMPLES OF HOW THE COURTS
CAN'T KEEP RECEIVING CUTS LIKE THIS IN THE
FUTURE.

I AM NOT KNOWING WHAT HAS BEEN ASKED IN THE

SURVEY, WHY IT WAS CREATED, WHAT THE PURPOSE OF IT WAS.

I'M NOT SURE IT WOULD HELP IN THE DECISIONS OF THE NEXT SIX MONTHS.

IT WAS MEANT TO HELP US WITH BUDGET PROCESS FOR THE NEXT FISCAL YEAR.

I DON'T THINK IN ANY WAY IT'S GOING TO HELP US COME UP WITH \$30 MILLION, BUT I'M WORRIED IF THIS ISN'T PASSED, WE'LL COME BACK TO THE TRIAL COURT WORKING GROUP AS TO HOW THIS SHOULD BE ALLOCATED AMONGST THE COURTS.

NOBODY CAN AFFORD ANYMORE CUTS RIGHT NOW UNTIL WE GET TO THE NEXT BUDGET PROCESS.

PEOPLE ARE, MOST, FOR THE MAJORITY, ARE SERIOUSLY IMPACTED AND CAN'T AFFORD MORE CUTS.

FOR THOSE CUTS THAT DON'T NEED TO CLOSE, THERE IS A MYRIAD OF REASONS.

SOME -- THEY HAVE ENOUGH MONEY.

SOME, IT'S BECAUSE THEY ARE WILLING TO DIP INTO THEIR FUND BALANCES DURING THE YEAR.

OTHERS HAVE DECIDED TO GET TO THE BOTTOM LINE RIGHT NOW AND KNOW WHAT THEIR BUDGET IS TO BE BALANCED OUT IN ZERO AND DEAL WITH ANYTHING THAT COULD COME IN THE FUTURE.

THAT MEANS LAYOFFS.

THE COURTS THINKING IN THAT WAY, THEY KNOW
WHAT THEY ARE DEALING WITH AND ARE TOO FEARFUL TO
TAKE DRASTIC ACTIONS OTHER THAN TO BE FISCALLY
RESPONSIBLE RIGHT NOW.

THERE ARE A MYRIAD OF REASONS.

I HAVE TALKED TO MANY ACROSS THE STATE WITH
VALID REASONS FOR WHAT THEY ARE DOING.

I DON'T THINK THE SURVEY OR THE RESULTS OF IT
WILL HELP MUCH WITH THE DECISION THAT NEEDS TO BE
MADE TODAY.

>> THANK YOU, CHIEF.

>> I WANTED TO -- I HEARD A LOT OF THE
COMMENTS THAT A NUMBER OF OUR SPEAKERS MADE.

FROM A JUDGE'S STANDPOINT, THE IMPACT OF THE
CLOSURES, I WOULD LIKE TO EXPRESS.

TUESDAY, I HAD A MAJOR HEARING ON A CASE
SCHEDULED.

TWO OF THE LAWYERS WERE LATE BECAUSE THEIR
CASES THAT WERE SET FOR WEDNESDAY WERE SET --
ADVANCED TO TUESDAY.

THEY HAD TO COME TO MY COURT FOR A FULL DAY
HEARING WHICH WE DIDN'T GET.

THE LAWYERS WERE NOT AVAILABLE ON FRIDAY.

I HAD TO PUT IT OVER TO MONDAY.

MONDAY I HAVE A TRIAL PANEL COMING IN.

THE JURORS HAVE TO WAIT TO FINISH UP THE TRIAL THAT WOULD HAVE BEEN FINISHED FRIDAY IF THE COURTS WEREN'T CLOSED.

IT'S HARD TO KEEP CONTROL OF THE CALENDAR WHEN THESE THINGS ARE HAPPENING.

HAVING LISTENED TO THE SPEAKERS, IT APPEARS TO ME, JUDGE MCCOY WROTE A LETTER TO THE COUNCIL SAYING THE COURTS HAVE NEEDS, STAFFING NEEDS, TECHNOLOGY NEEDS AND OPERATIONS.

STAFFING AND OPERATIONS HAVE TO TAKE PRIORITY.

I APPLAUD YOU CHIEF AND PHIL FOR GOING TO THE GOVERNOR AND LEGISLATURE AND SEEKING TO MAKE HAVING OPEN COURTS THE PRIORITY OF THIS BODY.

THERE IS SOMETHING I DON'T APPLAUD.

THAT IS THIS -- I AM LISTENING TO THE DISCUSSIONS LISTENING TO PEOPLE SAY PEOPLE SHOULD BE MORE IMPORTANT THANK -- THAN THINGS.

JUDGES ARE SCREAMING FOR THE COUNCIL TO HAVE ACCOUNTABILITY.

I DON'T SEE THE COUNCIL TRYING TO HIDE ANYTHING FROM ME, BUT I UNDERSTAND HOW THEY FEEL ABOUT COURT CLOSURES.

IN LOS ANGELES, THROUGH RIOTS, EARTHQUAKES, WHAT HAVE YOU, WE NEVER CLOSED OUR COURTS.

NOW WE ARE CLOSING OUR COURTS BECAUSE WE DON'T

HAVE ENOUGH MONEY.

I HEAR THERE IS A DISPARITY IN FUNDING.

I DON'T KNOW ABOUT THIS DISPARITY IN FUNDING.

I CAN TALK TO JACK CLARK.

HE CAN TELL ME, YES, WE ARE 4% UNDERFUNDED.

I DON'T KNOW HOW ACCURATE THAT IS OR HOW
ACCURATE OTHER COURTS ARE.

WE HAVE NOT HAD THAT DISCUSSION.

IT IS NOT RIGHT TO ME TO HAVE COURTS OPEN
DOING BUSINESS, OTHERS FURLOUGHING EMPLOYEES.

WHY SHOULD LARGE COURTS BE PUNISHED BECAUSE
THEY ARE BEING FURLOUGHED.

I'M SAYING THIS BECAUSE I DON'T UNDERSTAND WHY
WE HAVE NOT DISCUSSED THE DISPARITY IN FUNDING
AND DISCUSS TURNING OVER EVERY ROCK IN THIS BODY,
SO THE PUBLIC CAN SEE WE ARE TURNING OVER EVERY
ROCK.

WITH ALL DUE RESPECT TO JUDGE OH MALLEY, THE
TEMPLATES DON'T SHOW THE PURPOSE OF THIS.

WHY DON'T WE ALL LOOK AT THAT TO DETERMINE IF
THE TEMPLATES SHOW WE CAN GET MONEY FROM
SOMEPLACE TO KEEP THE COURTS OPEN.

I DON'T LIKE THE IDEA OF THE L.A. COURTS
CLOSED WHILE OTHERS ARE OPEN.

I THINK THAT SHOULD BE THE PRIORITY.

WE SHOULD HAVE A DISCUSSION NOT TALKING ABOUT CLOSURES, BUT WHERE IS THERE MONEY TO KEEP THE COURTS OPEN.

IF THERE IS NONE, OKAY, FINE, BUT IF THERE IS, I WOULD LIKE TO HAVE THAT DISCUSSION.

I HAVE SAID MY PIECE.

>> ARE THERE ALTERNATIVES THAT WOULD NOT HAVE THE IMPACT ON THE JUSTICES?

MONEY HAS TO COME FROM SOMEWHERE.

I KNOW FROM THE EXPERIENCE I HAD SEVERAL YEARS AGO WHEN WE DID NOT ADOPT THIS APPROACH, THE COURTS IN A DEPENDENCY COUNCIL -- [AUDIO IS BREAKING UP]

>> DRUG COURTS, EACH OF THOSE, LIKE YOU, INVOLVES SOME DESCRIPTION.

THE QUESTION REALLY IS, ARE THERE ALTERNATIVES, AND WOULD IT BE BETTER TO LET EACH COURT FIND ITS OWN WAY TO JUSTICE AS OPPOSED TO STATEWIDE?

>> I JUST WANTED TO FOLLOW UP, JUDGE LESLIE, ON YOUR QUESTION OF EQUITY OR INEQUITY OF FUNDING OF THE COURTS.

I THINK THAT WOULD CERTAINLY BE A GOOD DISCUSSION TO FOLLOW UP ON.

OVER THE YEARS, THE BUDGET WORKING GROUP TRIED

TO APPROACH THAT THROUGH A VARIETY OF DIRECTIONS,
AND HAVE HAD EXTENSIVE DEBATES.

THIS BODY HAS HAD DEBATES.

THERE HAS BEEN, UNDERSTANDABLY, RELUCTANCE ON
THE PART OF THE BODY AS A WHOLE, GROUPS OF COURTS
AND IN TURN THE COUNCIL, RETURNING FUNDING TO
WHAT SOME DESCRIBE AS THE LOWEST COMMON
DENOMINATOR IN THE PROCESS.

I THINK IT'S THE WHOLE DISCUSSION OF THAT, AND
UNDERSTANDING THE COMPLICATION OF WHAT IS EQUAL
FUNDING AND WHAT IS DISPARITY.

THE BODY TAKING TIME TO DECIDE THAT WILL BE
HELPFUL, BECAUSE IT'S GOING TO BE A NEXT SEVERAL
YEAR PROCESS, HAVING AN EFFECTIVE PLAN TO PROVIDE
OPEN COURTS AND THE REALITY OF PEOPLE'S ACCESS TO
THE COURTS IN THE PROCESS.

[LOSS OF AUDIO]

>> A POINT OF ORDER, I BELIEVE THE JUSTICE
MADE A MOTION.

I WOULD LIKE TO SECOND THE MOTION.

>> CHIEF, THIS IS JUDGE WATERS ONLINE.

MAY I SPEAK?

>> YES.

>> I THANK JUDGE WELCH FOR SECONDING.

THAT WAS ONE OF THE THINGS I NOTED THAT WE

OVERLOOKED.

I WANTED TO FOLLOW UP ON THE COMMENTS ABOUT THE NEED FOR DISPARITY IN FUNDING, AND I AGREE, BUT I THINK WE HAVE TO RECOGNIZE THAT THIS DISPARITY IN THE TRIAL COURT IS NOT JUST FUNDING.

THERE IS DISPARITY IN STAFF RESOURCES, IN FUNDING.

AS FAR AS JUDGE'S COMPENSATION, DISPARITY IN BENEFIT, DISPARITY IN ADEQUACY OF FACILITIES THROUGHOUT THE STATE.

ALL OF THESE THINGS NEED TO BE DISCUSSED.

THE THINGS THAT I HAVE NOTICED OVER THE YEARS WORKING ON THE COUNCIL AND AS A PRESIDING JUDGE IS THAT THIS COUNCIL, THIS BODY HAS WORKED HARD TO ENSURE THAT AS WE ELIMINATE THE DISPARITIES, WE DON'T DO HARM TO OTHER COURTS.

THAT'S WHY THE PROCESS IS SO SLOW.

THESE ARE VALID THINGS WE NEED TO TALK ABOUT, BUT I DON'T THINK THEY ARE RELY -- RELEVANT TO THE ISSUE TODAY.

WE'LL DO MORE HARM IF WE DELAY VOTING ON THIS ISSUE AGAIN AND LEAVE ALL OF OUR USERS AND COURTS IN UNCERTAINTY FOR THE BALANCE OF THIS FISCAL YEAR.

IT'S TIME TO CLOSE OUT THIS FISCAL YEAR AND

MOVE ON WITH THE LEGISLATURE.

>> YOU KNOW, I WAS ALSO STRUCK, JUDGE WESLEY,
BY WHAT MR. PRINGLE SAID ABOUT PEOPLE VERSUS
THINGS.

TO ME, IT'S PEOPLE VERSUS PEOPLE.

WHEN YOU ARE TALKING ABOUT BUILDINGS, YOU ARE
TALKING ABOUT PEOPLE.

THE COURTHOUSE I'M IN, THERE ARE MORE SECURITY
COSTS AND DANGER ISSUES.

WE DON'T HAVE A VERY GOOD CHILDREN'S WAITING
ROOM.

CHILDREN WHO ARE HUNGRY AND WAITING FOR THEIR
HEARINGS, THERE IS NO PLACE FOR THEM TO GET FOOD,
SO THEY HAVE TO GO DOWNSTAIRS TO GET FOOD WHERE
THERE ARE PEOPLE THAT ARE SEXUAL OFFENDERS,
CRIMINALS.

WE HAVE HAD SITUATIONS WHERE CHILDREN HAVE
BEEN PROPOSITIONED BY PEOPLE CONVICTED OF SEX
CRIMES BECAUSE THERE IS NOWHERE ELSE TO GO TO GET
FOOD.

IT'S PEOPLE VERSUS PEOPLE.

THOSE DECISIONS ARE MADE BY JUDGES EVERYDAY
WHERE WE HAVE TO BALANCE COST AND PEOPLE'S
INTERESTS.

IT'S BETTER TO BE DONE WHERE PEOPLE SITTING ON

THE COUNCIL ARE NOT SUPPOSED TO PUT FORTH LOCAL INTERESTS, BUT BALANCE ON A STATEWIDE INTEREST.

THANK YOU.

>> MUCH OF THE DISCUSSION THAT WE ARE HAVING TODAY IS SIMILAR TO THE DISCUSSION WE HAD IN JULY WHEN WE MADE THIS VOTE.

IT'S TRUE.

THE CONSEQUENCES, AND THE NEGATIVES HAVE BEEN CONFIRMED BY THE MANY SPEAKERS WHO CAME BEFORE THE COURT TODAY.

IN MY OPINION, THE ONLY THING THAT'S CHANGED, IS THAT IT'S GOTTEN WORSE.

THAT IS, WE CAN'T FIND 30,000,000 ROCKS.

I'M FROM THE GHOST TOWN OF SACRAMENTO.

WHEN I SAY GHOST TOWN IT'S BECAUSE THREE FRIDAYS OUT OF THE MONTH THERE ARE NO STATE WORKERS BECAUSE THEY ARE ON FURLOUGH.

THEY ARE THE PUBLIC WE SERVE.

EVEN IF WE COULD FIND 30,000,000 ROCKS TO FILL THIS YEAR'S PLUG, WE NEED A RATIONAL, PREDICTABLE PLAN.

IN SAN FRANCISCO, FRIENDS OF MINE TELL ME THESE ARE THE GOOD YEARS.

NEXT YEAR, 10-11, YOU HAVE A BUDGET DEFICIT, AND 12, TEMPORARY TAXES BY THE GOVERNOR ENDS.

LOANS HAVE TO BE REPAID.

WHEN WE THINK ABOUT A PLAN, I'M HAPPY TO HEAR WE ARE THINKING OF A THREE YEAR PLAN BECAUSE THE COURTS NEED STABILITY.

IT'S NOT ABOUT THE NEXT FIVE DAYS OF CLOSURE.

IT'S ABOUT WHETHER THIS IS A SYSTEMIC PROBLEM OR A STRUCTURAL PROGRAM.

TO ME, WE STAY THE COURSE UNTIL WE GET POSITIVE INFORMATION.

>> YES?

>> MURRAY?

>> IT'S HARD TO ARGUE AGAINST KEEPING COURTS OPEN.

IT'S ONE OF THOSE PHRASES THAT SEEMS TO MAKE US WARM AND FUZZY, BUT I THINK IT'S IMPORTANT TO KEEP INTO PERSPECTIVE, COURTS ARE NOT OPEN EVERYDAY OF THE YEAR UNDER THE BEST CIRCUMSTANCES.

TO MOVE THAT TO 132 DAYS A YEAR AFFRONTING JUSTICE, DOESN'T MAKE SENSE TO ME.

THOSE PEOPLE ARRESTED ON THURSDAY, MAY STAY IN CUSTODY WEDNESDAY.

NOW WITH COURT CLOSURES, MAYBE WE EXTEND THAT TO THURSDAY.

THE POINT BEING, WE NEED TO KEEP IT IN

PERSPECTIVE.

WE ARE NOT THE POLICE DEPARTMENT OR FIRE
DEPARTMENT.

WE ARE NOT OPEN 24/7.

INCREASING IT BY 12 DAYS DOES NOT CREATE A
DISASTER.

THE OTHER THING IS THAT IT GIVES A KIND OF
TUNNEL VISION.

IT'S NOT JUST IMPORTANT THAT THE COURTS BE
OPEN.

THEY NEED TO HAVE ADEQUATE SECURITY, STAFFING,
AND THEY NEED TO BE OPEN ENOUGH HOURS TO MAKE IT
MEANINGFUL.

WE ARE NOT GOING TO SHORTEN THE LINE IF WE
OPEN THE COURT WEDNESDAY, AND THEN WE DON'T HAVE
ENOUGH STAFF TO ADEQUATELY SERVE THAT COURT.

ALL OF THOSE THINGS ARE JUST AS IMPORTANT.

YOU HAVE TO HAVE ADEQUATE JUDICIAL OFFICERS TO
RUN THE COURT.

KEEPING THE COURT OPEN IS IMPORTANT, BUT WHAT
IS REALLY IMPORTANT IS KEEPING THE COURT
PRODUCTIVE.

BEING A TRIAL JUDGE, AND BEING CLOSED THE
THIRD WEDNESDAY OF EVERY MONTH HAS BEEN A
SUBSTANTIAL IMPOSITION.

IT'S A MATTER OF WHAT ARE THE ALTERNATIVES.

WHAT ARE WE GOING TO DO INSTEAD?

HOW WILL WE SAVE THE MONEY THAT NEEDS TO BE
SAVED?

IT MAY NOT BE THE BEST THING, BUT COME
JULY 1ST, SOMEONE IS PROBABLY GOING TO HAVE TO
CONVINCE ME STRONGLY TO KEEP IT GOING AFTER THAT,
BUT FOR NOW, IT WOULD NOT BE PRODUCTIVE TO
CHANGE.

>> I ACTUALLY WANTED TO ADD A FEW THOUGHTS AND
ASK IF YOU WOULD CONSIDER A MINOR, FRIENDLY
AMENDMENT.

I ACTUALLY THINK THERE IS AGREEMENT ON THIS
COUNCIL, THOUGH IT SOUNDS LIKE WE ARE
DISAGREEING.

FUNDAMENTALLY, I THINK WE ARE ALL AGREEING.

IT'S NOT A GOOD SOLUTION, BUT THE LEAST OF THE
WORST RESPONSES.

I ALSO THINK THERE IS AGREEMENT BY EVERYONE
AROUND THE COUNCIL THAT WE ARE COMMITMENTED TO
ACCESS.

WE WANT TO SEE EVERYTHING DONE IN OUR POWER AS
REFLECTED IN OUR LEGISLATIVE PRIORITIES FOR THE
YEAR, TO KEEP THIS AT THE TOP OF OUR AGENDA, AND
WE ARE NOT HAPPY WITH THE SITUATION WE ARE IN.

I ECHO THE SITUATION THAT THIS IS NO DIFFERENT THAN THE PICTURE WE THOUGHT WE WOULD SEE WHEN WE BEGAN.

I THINK THE WORST THING WE COULD DO IS TO PING-PONG AND TAKE NO ACTION TODAY AND SEE THE BUDGET TARGET SHIFT BENEATH US, AND THEN HAVE TO MOVE BACK TO CLOSURES IN A MONTH OR TWO DOWN THE ROAD.

WHEN I LOOK AT THE LIMITED MOTION THAT WE HAVE BEFORE US, WHICH IS SIMPLY, WHAT ARE WE GOING TO DO BETWEEN NOW AND THE END OF THE FISCAL YEAR, A FEW MORE MONTHS, I THINK THE ONLY RESPONSIBLE THING TO DO IS TO A, CONTINUE THE COURSE OF ACTION, DIFFICULT AND HEART WRENCHING AS IT IS FOR EVERYONE AROUND THE TABLE, STEADY THE COURSE AND MAINTAIN THE ACTION WE TOOK FOR THE FORES, WHILE AT THE SAME TIME DOING WHAT WE HAVE COMMITTED TO, WHICH IS TO ADVOCATE IN EVERY WAY SHAPE AND FORM TO MOVE FORWARD NOT SIMPLY TO KEEP THE BUILDING SAFE, BECAUSE THOSE ARE ABOUT THE PEOPLE, BUT TO LOOK UNDER THE ROCKS, GET THE INFORMATION WE GET.

JUDGE EDMOND, I'M IN AGREEMENT WITH YOU AND JUDGE WESLEY.

EVERYTHING WE CAN DO, AND EVERY BIT OF

INFORMATION IS USEFUL, AND I THINK EVERYONE AGREES ON THAT, BUT IN THE MEANTIME, I THINK WE HAVE TO DO THE FISCALLY RESPONSIBLE THING AND PASS THIS MOTION.

BUILDING OFF OF JUDGE EDMOND'S POINT, I THINK IT'S APPROPRIATE WITH THE MID DECEMBER LEGISLATIVE PRIORITIES TO SIMPLY ADD BEFORE THE WORD THAT KEEPING OPEN AND ACCESSIBLE TO THE PUBLIC THAT IT REMAINS A TOP COUNCIL PRIORITY.

I DON'T KNOW, JUDGE EDMOND, IF YOU HAD DIFFERENT LANGUAGE, BUT IT REALLY IS A TOP PRIORITY.

THE FACT THAT WE MADE IT THE LEGISLATIVE PRIORITY THIS YEAR IS REFLECTIVE OF THAT.

>> JUDGE EDMOND.

>> THANK YOU, MIRIAM.

IT REMAINS THE TOP PRIORITY.

>> I APPRECIATE THAT AMENDMENT.

>> I WOULD ACCEPT THE AMENDMENT, AS I UNDERSTAND IT, ITEM TWO REMAINS THE COUNCIL'S TOP PRIORITY.

>> YES, THANK YOU.

>> A TOP PRIORITY?

>> THE MOTION WAS A TOP PRIORITY.

>> I'M GOING TO LEAVE "A" OR "THEE" TO JUSTICE

HUFFMAN.

YOU DRAFT MORE THAN I DO.

>> THERE ARE OTHER ISSUES RELATED TO ACCESS
THAT ARE ALSO CRUCIAL, BUT IT'S CERTAINLY "A" TOP
PRIORITY.

I WOULD ACCEPT THE AMENDMENT REMAINING "A" TOP
PRIORITY OF THE COUNCIL.

I WOULD INDICATE, THAT OF COURSE, WE ARE FACED
WITH SITUATIONS OF FAIRNESS, RACIAL [AUDIO
FADING IN AND OUT]

I WOULD INQUIRE WHAT IS ACCEPTABLE.

>> WE HAVE 30 SECONDS.

>> ALL RIGHT.

>> WE'LL HAVE TO FILIBUSTER UNTIL HE GETS
BACK.

>> THEN YOU WILL HOLD THE FLOOR.

>> THAT'S FOR SURE.

>> THAT'S REALLY A POINT THAT I WANTED TO
MAKE.

ONE THING, UNQUESTIONABLY, WE ALL AGREE ON,
OUR MOST IMPORTANT TASK NOW IS TO TRY TO MAXIMIZE
FUNDING IN THE FORTHCOMING STATE BUDGET, AND IT
WOULD SEEM TO ME THAT WE WOULD PLACE OUR
CREDIBILITY AT SOME JEOPARDY WERE WE IN MIDSTREAM

OF THIS YEAR AFTER THE LEGISLATURE VOTED TO PROVIDE FOR THE AUTHORITY FOR THE CLOSURES BASED UPON THE ARGUMENT THAT WE NEEDED TO DO THAT AS AN UNPLEASANT NECESSITY IN ORDER TO SAVE A CERTAIN PORTION OF MONEY INTERNALLY, FOR US TO BACKTRACK ON THAT MIDSTREAM.

I DON'T THINK THAT IS THE MESSAGE WE WANT TO SEND TO THE LEGISLATURE AT THIS CRITICAL TIME, THAT THE BUDGET FOR 2010-2011 IS BEING PREPARED AND VOTED UPON.

>> I WOULD ADD A FOOTNOTE THAT NOT ONLY DID MANY LEGISLATE LEGISLATORS GO OUT ON A LIMB TO SUPPORT US IN THIS, BUT THE SAME IS TRUE OF JUSTICE PARTNERS, THAT ARE DEALING AND RELYING ON OUR DECISIONS.

THEY IN TURN, HAD ELECTED OFFICIALS WHO WENT OUT ON A LIMB.

>> JUDGE SMITH HAD HER HAND UP LONG BEFORE I DID.

IF YOU WANT TO PUT HER BEFORE ME, I BELIEVE THAT IS THE RIGHT THING TO DO.

>> WHAT A GENTLEMAN.

>> I WANTED TO ADD ONE THING.

WHEN WE MADE THIS DECISION LAST JULY, WE HAD A LOT OF INFORMATION IN FRONT OF US.

TALKING ABOUT IT THIS MONTH WAS TO DETERMINE IF SOMETHING EXCEPTIONAL CHANGED THAT WOULD CAUSE US TO RECONSIDER.

I DON'T THINK WE HAVE HEARD ANYTHING THAT WOULD CAUSE US TO RECONSIDER.

EVERYONE HAS SPOKEN WELL ON THE SUBJECT, SO I WON'T GO ON EXCEPT TO SAY, THAT BECAUSE IT WAS NOT DISCUSSED IN THIS FORUM, DOESN'T MEAN THERE HASN'T BEEN GREAT DISCUSSION, MUCH OF WHICH HAS BEEN PUBLIC, AND ALL OF THE BUDGET NUMBERS AND DOCUMENTATION WE HAVE USED TO MAKE THE DECISION ABOUT CLOSING THE COURTS AND KEEPING THEM OPEN, AND THAT IT HAS NOT BEEN EXHAUSTED.

WE CONTINUE TO EXHAUST IT.

I HAVE BINDERS IN MY CHAMBERS.

IT'S NOT VIABLE TO HAVE ALL OF THE DISCUSSIONS HERE.

WE WE ARE FULL-TIME JUDGES, SO WE HAVE TO HAVE DISCUSSIONS, BUT I WOULD HATE TO GIVE ANY MEMBER OF THE PUBLIC TO THINK WE DON'T HAVE ADEQUATE INFORMATION.

WE HAVE THE INFORMATION AND CONTINUE TO GATHER IT PRETTY MUCH EVERY MONTH.

EVERY TIME I'M ON A MEETING OR ON A
(877)249-962 -- TELEPHONE CALL, I GET MORE

INFORMATION.

WE DO HAVE WHAT WE NEED, AND WE CONTINUE TO
GATHER IT.

I WOULD NOT WANT ANYONE TO THINK THAT AS
COUNCILMEMBERS WE HAVE NOT EXHAUSTED THE SOURCES
OF MONEY FOR CORE OPERATION, OR THE ALTERNATIVES
AVAILABLE TO US TO DO THE LEAST DAMAGE TO OUR
JUSTICE SYSTEM.

>> GENTLEMEN?

>> SMALL CRISIS CHIEF HAS AT HOME.

LIMITING MY COMMENTS TO THE COMMENT AT HAND,
HAS SOMETHING CHANGED TO MAKE US RECONSIDER THIS
DECISION?

I DON'T THINK THAT'S THE CASE.

THE REPORT PREPARED STATES THE OBVIOUS.

WE KNEW GOING INTO THIS IT WOULD BE PROPMATIC,
DISRUPTIVE, POTENTIALLY HARMFUL TO SOME.

YET, GIVEN THE OPTIONS WE HAD AT OUR DISPOSAL,
THIS WAS THE BEST OF THE WORST THAT WE COULD
CHOOSE.

THE REPORT HAS SIMPLY CATEGORIZED AND
CATALOGED ALL OF THE THINGS THAT WE EXPERIENCE ON
A LOCAL LEVEL EVERYDAY.

THERE IS NO DOUBT WE HAVE TREADS LINES AND
BACKUPS EVERYDAY AFTER A CLOSURE.

WE HAVE THOSE PROBLEMS IN SPITE OF THE
CLOSURES.

MY PROBLEM IS NOT THE CLOSERS.

MY PROBLEM IS A 15% VACANCY RATE.

ACCESS IS ABOUT OPENING THE DOORS, BUT IT IS
ALSO ABOUT PROVIDING ACCURATE, TIMELY AND
EFFECTIVE SERVICE.

WE CAN FIND A WAY TO OPEN THE DOORS, BUT I'M
STILL GOING TO HAVE THE LINES, DELAYS, THINGS
THAT TOOK HOURS TAKE DAYS, THINGS THAT TAKE DAYS
TAKE WEEKS, THINGS THAT TOOK WEEKS TAKE MONTHS.

THAT'S WHAT WE HAVE TO DEAL WITH TO CONTINUE
BUSINESS.

I DON'T THINK THE MONEY WILL COME BACK IN THE
SAME WAY WE HAD IT BEFORE.

I SEE A FUNDAMENTAL RESTRUCTURING OF
GOVERNMENT FINANCE.

IT WILL AFFECT THE COURTS.

WE HAVE TO CHANGE THE WAY WE DO BUSINESS.

WE MAY NOT BE ABLE TO PROVIDE THE SERVICES WE
HAVE IN THE PAST.

ALL OF THE STOP-GAP MEASURES, ONE TIME
DIVERSIONS, CLOSURES, FURLOUGHES, BEGS THE
QUESTION.

IT'S UNDER THE EXPECTATION THAT AT SOME POINT

WE'LL COME BACK.

I'M LESS PERSONALLY CONVINCED OF THAT THAN OTHERS.

WE HAVE SURVEYED THE COURT EXECUTIVES ON THIS QUESTION.

57% INDICATE WE NEED TO STAY THE COWS, COURSE THAT IT WOULD BE MORE DISRUPTIVE AT THIS POINT.

I DON'T KNOW IF THAT'S THE CASE.

THERE ARE THOSE THAT DIDN'T SUPPORT THE CLOSURES ALL ALONG.

THEY CONTINUE NOT TO SUPPORT THE CLOSURES.

FOR OTHERS, THEY WERE THE ONLY WAY TO MAKE IT THROUGH THE YEAR.

GIVEN THAT I DON'T SEE ANY SUBSTANTIVE CHANGE TO THE DECISION MADE IN JULY, I ADVISE THE SUPPORTING OF THE RECOMMENDATION.

>> THIS HAS PROMPTED ME TO SHARE MY THINKING PROCESS ON THIS.

I WAS ASKED SEVERAL WEEKS AGO, HOW WILL YOU FEEL IN FEBRUARY ABOUT THE DECISION?

I SAID, I HAVE NO OPINION AT THIS POINT.

I WANT TO FIND OUT ON A COST BASIS.

WHY ARE WE HERE?

WE KNEW IT WOULD BE BAD.

THAT'S NOTHING NEW.

WE COULD HAVE BEEN FACED WITH A SITUATION
WHERE THE SAVING'S ESTIMATES WERE WAY OFF.

IF WE FOUND OUT IT HAD THE BAD EFFECTS WE
THOUGHT IT WOULD, BUT FOR ALL OF THIS WE SAVED
ONLY A FEW HUNDRED THOUSAND DOLLARS IN SAVINGS.

THAT WOULD HAVE TIPPED ME IN A DIFFERENT
DIRECTION.

MY BIG WAIT AND SEE WAS, WERE THE PREDICTIONS
OF SAVINGS, ACTUALLY BEING REALIZED?

I AM CONVINCED BY THE PRESENTATION THAT THIS
IS REAL MONEY, \$30 MILLION PLUS, AND FOR THAT, IT
OUTWEIGHS THE BURDEN.

IF IT WAS A MATTER OF A FEW HUNDRED THOUSAND
DOLLARS, I WOULD CHANGE MY OPINION.

>> ANY OTHER THOUGHTS OR COMMENTS?

AMENDED AND SECONDED.

IF NOT, I'LL BRING FORTH A VOTE.

ALL THOSE IN FAVOR?

AYE.

>> THE VOTE FROM SHARON WATERS REMOTELY.

ALL OF THOSE AGAINST.

>> CHIEF, I ABSTAIN FOR THE REASONS I STATED.

>> I ALSO ABSTAIN.

>> I HEARD NO NAYS.

>> [VERY LOW AUDIO]

>> I WAS WONDERING IF YOU WOULD EVER GET TO
THAT.

>> I WOULD LIKE TO WORK WITH THE EXECUTIVES TO
WORK OUT A PLAN TO ALLOW EVERYONE INTO THE
DISCUSSION.

HOW DO WE FIND EXTRA FUNDING.

[DIFFICULT TO MAKE OUT AUDIO]

>> REFLECTING THE ALMIGHTY POWER OF EDMOND,
SENDING BLACKBERRY E-MAILS, ALL SAN FRANCISCO IS
NOW AWARE.

>> THAT'S ALL RIGHT.

VICKREY IS HEARD.

OUR LUNCH HOUR IS SCHEDULED TO BE A HALF HOUR.

LET US TRY TO RESUME AT 2:15.

AGAIN, I THANK OUR VISITORS AND PRESENTERS FOR
DOING AN EXCELLENT JOB, AND THOSE INDIVIDUALS
THAT TOOK TIME OUT OF THEIR SCHEDULES TO BE ON
THE COUNCIL.

WE'LL RESUME AT 2:15.

>> SHARON WATERS HAS LEFT THE CONFERENCE.

>> AOC HAS LEFT THE CONFERENCE.

[lunch recess]

>> ALL RIGHT.

WE ARE STARTING A BIT LATE.

SORRY, I HAD TO WEDGE IN A NOONTIME MEETING.

WE'LL TAKE ON OUR LAST AGENDA ITEM.

IN TERMS OF THE EXECUTIVE SESSION, STARTING MATTERS COVERED BY CLIENT/ATTORNEY PRIVILEGE, SINCE WE WENT LATE, AND DUE TO THE WEATHER, WE ARE POSTPONING THAT LATER SESSION.

THE UPCOMING ITEM, NUMBER FOUR, WILL BE THE LAST MATTER TODAY.

THIS HAS TO DO WITH TRANSFERS AND ADOPTION AND RESOLUTION.

FIRST TO RON, I WANT TO SAY AT THE OUTSET, JUST A PHENOMENAL ACHIEVEMENT.

532 FACILITIES TRANSFERRED, ONE OF THE LARGEST REAL ESTATE TRANSACTIONS IN CALIFORNIA HISTORY, PUBLIC OR PRIVATELY.

UNDERSTANDABLY, STILL JUST A FRACTION OF WHAT THE SERVICES THOUGHT THEY WOULD NEED TO UNDERTAKE THIS RESPONSIBILITY OF HAVING MAINTENANCE.

[AUDIO IN AND OUT]

>> THIS IS QUITE AN ACHIEVEMENT.

I BELIEVE, UNUSUAL AS IT IS FOR A STATE TO HAVE OWNERSHIP OF THE COURTHOUSE, IT IS UNIQUE THAT WHEN IT OCCURS UNDER JUDICIAL BRANCH MANAGEMENT AS OPPOSED TO STATE AGENCIES SUCH AS THIS GROUP, QUITE AN AMAZING ACHIEVEMENT.

I WANT TO OFFER MY CONGRATULATIONS.

>> THANK YOU VERY MUCH FOR RECOGNIZING THAT,
CHIEF JUSTICE.

IT'S REALLY THE PEOPLE BEHIND ME AND NEXT TO
ME THAT WORK SO HARD TO ACCOMPLISH SOMETHING THAT
CAME CLEAN WITH OUR STAFF A WEEK BEFORE LAST,
WHEN I TOLD THEM, I HAD MY DOUBTS.

I NEVER WOULD HAVE SAID THAT TO THEM UNTIL THE
GLEN COUNTY COURTHOUSE WAS TRANSFERRED AS THE
LAST COUNTY COURTHOUSE IN THE STATE.

JUST TO THINK, OVER 100AOC STAFF, SEA STACK
STAFF, COUNTY STAFF, LAWYERS, FACILITY PEOPLE
WORKING TOGETHER FOR 58 COUNTIES AND 532 SEPARATE
TRANSFER AGREEMENTS, THINKING THAT WOULD GET DONE
IS NOT THINKING CLEARLY.

CONSISTENT WITH HOW WE DO THINGS, THAT IS WHAT
WAS EXPECTED AND WHAT WE ACCOMPLISHED.

THE TRANSPORT BILL PASSED IN 2002 IN LOS
ANGELES, SET UP THE PROCESS TO BE ABLE TO
TRANSFER THE COUNTY COURTHOUSES TO THE STATE
UNDER THE JUDICIAL BRANCH, LIKE YOU SAID, IS
UNIQUE OF ALL STATES IN THE UNITED STATES.

IT WAS NOT UNTIL 2004 WHEN THE CHIEF JUSTICE
WENT TO THE CHIEF COUNTY AND OVER THE NEXT FEW
YEARS WE HAD A TRICKLE OF CHANGES, PARTICULAR IN
TERMS OF THE SIZE OF THE COURTHOUSES AND THE

STATE NOT WANTING TO TAKE ON THE LIABILITY AND
COUNTIES NOT HAVING 1 OR \$2 BILLION TO RETRO FIT
THE BUILDINGS AND GIVE THEM TO US.

WE WERE AT A LOG JAM.

WE ARE WAITING TRANSFER INFORMATION TO
ACCELERATE THE PROCESS.

LATER WE WENT BACK BECAUSE WE RAN OUT OF TIME
FOR THE ORIGINAL INFORMATION BY WHICH WE NEEDED
TO TRANSFER.

WE WENT BACK A SECOND TIME AND WERE ABLE TO
TRANSFER.

REMARKABLY, THE DEADLINE BEING DECEMBER 31ST
2009.

IT WAS THAT WEEK THAT THE GLEN COUNTY
SUPERVISORS TRANSFERRED -- COMPLETED THE
TRANSFERS.

IT'S BEEN A REMARKABLE WORK.

I GIVE ALL THE CREDIT TO LEE WILLOW BEE --
WILLOUGHBY AND THE COUNTIES THAT HAVE BEEN
COOPERATIVE.

LEE?

>> THANK YOU, ROB.

IF I HAD KNOWN YOU HAD DOUBTS, MAYBE WE
WOULDN'T HAVE WORKED SO HARD.

THANK YOU FOR NOT TELLING US.

WITH US HERE IS PRESIDING JUDGE BYRD,
ELIZABETH HOWARD FROM SEA STACK AND KURT CHILDS
FROM THE OFFICE OF GOVERNMENTAL AFFAIRS.

JUDGE BYRD?

>> I WANTED TO SAY THANK YOU FOR NOT SAYING, I
KNEW YOU WOULD BE LAST.

>> YES, I DID.

>> I'LL REMEMBER THAT.

>> IT WAS A GREAT BUILDING THAT WE HAVE.

YOU HAVE PICTURES OF IT OVER HERE ON THE SIDE.

THE ONLY THING MISSING IS THE COPE LA.

WE'LL WEEP -- KEEP THAT IN THE FORM THAT YOU
PUT TOGETHER AND THE STAFF HAVE PUT TOGETHER AND
THE JUDICIAL STAFF HAVE PUT TOGETHER, AND MAKE
THAT WORKABLE.

HOPEFULLY, I'LL STOP SEEING PICTURES OF
PRISONERS GOING UP AND DOWN IN FRONT OF MY OFFICE
AS A NEED FOR PEOPLE.

AS PEOPLE FILL THE COURTROOM, THEY'LL HAVE
ACCESS THERE.

THEY'LL BE SECURED.

IT'S A GREAT PROJECT THAT THE STATE'S TAKEN
UNDER THROUGH THE JUDICIAL BRANCH.

I'M FOURTH GENERATION FROM MY COUNTY, AND I'M
A THIRD GENERATION ATTORNEY.

THIS IS SOMETHING, AGAIN, THAT I THINK WE'LL
EVER SEE.

NOT IN OUR LIFETIME, FOR MOST OF YOU.

BUT I'M A LOT YOUNGER.

IT WAS A HISTORIC MOMENT AND A GOOD FIT.

AS MENTIONED HERE TODAY, COUNTIES WERE UNABLE
TO TAKE CARE OF THE STRUCTURE AS WE GREW.

WE HAD A GOOD WORKING RELATIONSHIP WITH OUR
BOARD.

WE WERE ABLE TO DISCUSS THE ISSUE.

SORRY WE DIDN'T GET IT TO YOU SOONER, BUT
DECEMBER 31ST WAS ONLY FOUR DAYS AWAY OR
SOMETHING.

WE HAD A GOOD WORKING RELATIONSHIP WITH AOC, C
STACK, AND THE OTHER PEOPLE IN OUR JUSTICE
COMMUNITY THAT WE WERE ABLE TO GET THIS DONE.

WE ARE HAPPY TO HAVE THE OPPORTUNITY TO BE
LAST.

IT WILL BE A FIRST, DENNIS.

OKAY.

>> AT THE RISK OF VIOLATING THOMAS JEFFERSON'S
WALL OF SEPARATION BETWEEN CHURCH AND STATE,
THERE IS A BIBLICAL REFERENCE TO THE LAST SHALL
BE FIRST.

"MAYBE THAT WAS YOUR INTENT ALL ALONG.

>> MR. CHIEF JUSTICE, COUNCILMEMBERS, THANK
YOU.

GOOD AFTERNOON.

OUR HISTORIC COURTHOUSE IS NOT JUST A FACILITY
IN GLEN COUNTY, IT'S BEEN THE CENTER OF OUR LOCAL
GOVERNMENT FOR DECADES.

AS A NEW BOARD MEMBER SITTING FOR MY FIRST
TERM AND TWO OTHERS SITTING FOR THEIR FIRST
TERMS, IT WAS NOT AN EASY DECISION TO TURN THE
TITLE OVER OF THAT HISTORIC COURTHOUSE.

IT'S ALMOST LIKE GIVING AWAY A FAMILY
HEIRLOOM.

WE REALIZED IT NEEDS TO BE DONE.

IT'S IN THE BEST INTEREST OF THE CITIZENS OF
GLEN COUNTY.

WE ARE CONFIDENT THAT THE NEEDS OF THE
CITIZENS IN GLEN COUNTY WILL BE MET AT THE
HIGHEST LEVEL.

I WANT TO THANK AOC, C SACK, DEPARTMENT OF
PUBLIC WORKS, PLANNING DEPARTMENT, ALL THE FOLKS
IN THE COUNTY THAT WORKED HARD TO GET THIS
THROUGH.

IT IS WITH GREAT PLEASURE I AM ABLE TO BE HERE
TODAY AND PRESENT THIS KEY TO THE HISTORIC
COURTHOUSE TO OUR CHIEF JUSTICE.

[APPLAUSE]

>> ELIZABETH, DO YOU HAVE ANYTHING TO SAY?

C STACK --

>> WE'LL DO IT AFTER.

>> OKAY, GREAT.

>> C STACK HAS BEEN A GREAT PARTNER ALL ALONG.

WE REALLY APPRECIATE IT.

>> THAT'S SO FUNNY.

>> CHIEF, I WOULD LIKE TO PRESENT YOU, ON
BEHALF OF THE JUDICIAL COUNCIL, AND ELIZABETH
HOWARD ESPINOSA, ON BEHALF OF C-CAK, AND MEMBERS
OF THE LEGISLATURE, AND DAVE JONES, RECOGNIZING
THE SIGNIFICANT ACCOMPLISHMENT OF THE TRANSFERS.

THE MEMBERS WERE NOT ABLE TO BE HERE DUE TO
LEGISLATIVE BUSINESS, BUT I THINK THEY WOULD HAVE
FELT AT HOME IN THE DISCUSSION.

I'LL SKIP THE WHEREASES, IN THE DISCUSSION,
BUT THE REVOLVE ACCURATELY STATES WHAT WENT INTO
THIS SIGNIFICANT ACHIEVEMENT BY EVERYONE, WHICH
DARYL STEINBERG AND DAVE JONES, THEY RECOGNIZE
THE JUDICIAL COUNCIL OF CALIFORNIA, STATE
ASSOCIATION OF COUNTIES, CALIFORNIA TRIAL COURTS,
AND CALIFORNIA'S 58 COUNTIES AND THEIR
ACHIEVEMENT OF COMPLETING THE TRANSFER OF ALL
TRIAL COURT TRANSFERS FROM THE COUNTY TO THE

STATE.

I THINK THIS IS A SIGNIFICANT RECOGNITION FROM OUR LEADERS IN THE LEGISLATURE WHO WERE MOST HELPFUL IN HELPS US GET TO THE POINT WE DID TODAY.

I WOULD ALSO PERSONALLY LIKE TO THANK ELIZABETH.

SHE'S HERE FOR ALL OF THE WORK, THE COOPERATION THAT WE HAD WITH C-SAK THROUGH ALL OF THE TRANSFERS.

IT WAS A LOT OF FUN FOR THOSE OF US THAT DIDN'T HAVE TO DO THE EVERYDAY HANDS ON STUFF, BUT THERE WERE LOW POINTS THAT WE GOT THROUGH.

THE MOST IMPORTANT CREDIT IS THAT EVERYONE WAS WORKING IN GOOD FAITH.

WHEN WE HIT THE HARD POINTS, WHERE WE HAD TO WORK THROUGH THEM, THERE WAS NEVER ANY QUESTION THAT EVERYONE WAS WORKING IN GOOD FAITH TO ACCOMPLISH THIS.

ELIZABETH, DO YOU WANT TO COMMENT?

>> YES.

CHIEF JUSTICE GEORGE, AND MEMBERS OF THE COUNCIL, IT'S GRATIFYING FOR ME TO BE HERE TODAY.

THIS IS THE END OF A LONG ROAD.

I WAS THINKING ABOUT THE SIGNIFICANCE OF THIS

MEASURE.

THE NUMBER IS 532, BUT WHAT IS IMMEASURABLE IS THE COLLECTIVE HUMAN EFFORT THAT WENT INTO GETTING THIS DONE.

IT IS A SHINING EXAMPLE OF ENTER GOVERNMENTAL CORPORATION AT ITS BEST.

THERE WERE POINTS WHERE I DIDN'T THINK THINK COULD BE PULLED OFF WHEN WE HIT ROUGH PATCHES ALONG THE WAY.

>> WE COULD NOT HAVE DONE THIS WITHOUT THE COMMITMENT OF THE COMMITTEE.

THIS WAS A KEY PRIORITY FOR THE JUDICIAL STAFF.

LEE AND BURT IN PARTICULAR, I WANTED TO THANK THEM.

THIS IS THE ACADEMY AWARD'S PORTION OF THE SPEECH.

I'LL BE BRIEF.

ALSO THE STAFF.

IT WAS KURT AND DONNA THAT RECEIVED THE CALLS IN WHICH WE HAD FRANK DIALOGUE OVER THE YEARS.

THANK YOU ON BEHALF OF THE CSAC OFFICERS.

OUR CHIEF PRESIDENT WHO WAS INSTRUMENTAL IN MOVING THIS FORWARD IN THE DISPUTE RESOLUTION COMMITTEE AND HELPING WITH THE ADVOCATES.

HE WAS DEEPLY INVOLVED.

THANK YOU VERY MUCH.

ON BEHALF OF OUR COUNTIES, WE ARE VERY GLAD
THIS IS DONE.

THANK YOU.

[APPLAUSE]

>> WE HAVE A TWO

PART RECOMMENDATION.

I DON'T KNOW IF YOU WISH TO SPEAK TO THAT?

>> CAN I MAKE ONE MORE ACKNOWLEDGEMENT?

THE HEART OF THE PEOPLE THAT GOT THIS DONE
WERE THE TRANSFER PEOPLE AND REAL ESTATE
ATTORNEYS.

THEY WERE FROM SAN FRANCISCO.

WE DIDN'T PAY FOR THEM TO TRAVEL HERE.

I WOULD LIKE THEM TO STAND.

EUNICE, BOB EMMERSON, EARL FREEMAN, JESSICA
GROSSMAN, CHRIS, BRUCE NEWMAN, RONALD, ALLEN
OXFORD, JEANETTE LONG, DONNA HURTS WITS, MEL
KENNEDY, CHARLES MONTEL AND LESLIE MIZNER.

THESE ARE THE PEOPLE THAT HAMMERED OUT EVERY
DETAIL OF EVERY TRANSFER.

>> THERE WAS A LOT OF WORK.

I DON'T KNOW THAT ALL OF THE COUNCILMEMBERS
REALIZE THIS, BUT EACH HAD TO NEGOTIATE ONE BY

ONE.

THERE WERE COUNTIES THAT MADE A PACKAGE DEAL,
BUT EACH WAS BASICALLY A SEPARATE TRANSACTION, SO
IT REPRESENTS AN ENORMOUS AMOUNT OF WORK TO
TRANSFER TITLES.

SOME HAD MULTIPLE USES WITH AGENCIES OTHER
THAN COURTS OCCUPYING THE STRUCTURES.

532 TRANSFERS IS A TREMENDOUS ACHIEVEMENT.

THANKS TO ALL OF YOU WHO ARE HERE.

>> I WOULD ADD, CHIEF, WE INTRODUCED -- OR LEE
INTRODUCED, MEMBERS OF OUR LEGAL TEAM.

REALLY, MARY ROBERTS DESERVES TREMENDOUS
CREDIT FOR WORKING WITH OCM.

THERE WAS A TREMENDOUS AMOUNT OF LEGAL WORK
THAT WAS DONE.

>> WE THANK YOU, MARY, AND YOUR STAFF.

>> I WANT TO THANK ONE MORE GROUP.

CHIEF, THAT'S YOU, AND BILL VICKREY AND RON
OVERHAUL AND MEMBERS OF THE COUNCIL.

WITHOUT YOUR SUPPORT AND LEADERSHIP, WE
WOULDN'T HAVE GOTTEN THIS DONE, SO THANK YOU ALL.

>> THE POINT THAT WE MADE THROUGHOUT THE
PROCESS OF THIS THROUGHOUT THE YEAR, AND THAT WE
HAVE MADE IN RECENT WEEKS, AS SOME RAISE THE
PROSPECTS OF -- WE'LL BE DIRECT ABOUT IT, RAIDING

THE FUNDS FOR MAINTENANCE, 41 CRITICAL FACILITIES, THE POINT WE HAVE MADE TIME AND TIME AGAIN, I CONSIDER OUR COURTHOUSES AS JUST AS MUCH A PART OF STATE INFRASTRUCTURE AS HIGHWAYS AND BRIDGES.

YOU DON'T STOP INFRASTRUCTURE NEEDS IN LIFE AND SAFETY ISSUES WHEN TIMES ARE BAD.

THIS IS AN INTEGRAL CONTRIBUTION OF THE INFRASTRUCTURE AND WELFARE OF THE TENANTS.

THANK YOU.

>> IS THERE ANYTHING OTHER THAN THE ADOPTION RESOLUTION?

>> NO.

WE WOULD BE HAPPY TO ANSWER ANY QUESTIONS.

>> IF THERE ARE ANY QUESTIONS?

>> CHIEF, I WOULD LIKE TO MOVE APPROVAL OF THE RECOMMENDATION.

SOME OF THE DISCUSSIONS WE HAVE HAD RECENTLY, AND SOME OF THE PUBLIC DISCUSSIONS, I THINK THE RECORD, WE NEED TO STOP AND THINK FOR A MOMENT, THE ADMINISTRATIVE OFFICE OF THE COURTS AND STAFF, IN CORPORATION WITH THE OFFICES OF THE GOVERNMENT HAVE DONE AN EXTRAORDINAIRE JOB AND UNDERTAKEN A MAMMOTH RESPONSIBILITY HERE.

SOMETIMES IT MAKES ME WARY WHEN SOME CLOWN IS

WORRIED ABOUT IF SOMEONE HAD A STAFF INCREASE TWO YEARS AGO IN AN OUTFIT PUTTING IN TREMENDOUS WORK WITH LESS RESOURCES AND LESS STAFF THAN ANY OTHER AGENCY WOULD DO AND A DAMN WELL BETTER JOB.

>> THANK YOU.

>> A SECOND?

>> FURTHER DISCUSSION?

>> ALL IN FAVOR OF THE RECOMMENDATION.

>> AYE.

>> AYE.

>> IT'S UNANIMOUS.

NOW THAT WE HAVE SAID OUR FINAL WORD TODAY, I WILL ADD, NOT JUST BECAUSE SHELIA IS HERE, THAT MY SENTIMENTS ABOUT INFRASTRUCTURE GO EQUALLY THROUGHOUT MANAGEMENT.

IT IS PART OF OUR INFRASTRUCTURE -- [AUDIO LOW AND BREAKING UP]

>> I HOPE YOU WILL ALL CONTINUE TO ALLOCATE.

>> ALL RIGHT, THERE IS INFORMATION ONLY ITEMS HERE CONTAINED IN YOUR BINDER.

AS I MENTIONED EARLIER, THE EXECUTIVE SESSION, DUE TO THE LATE HOUR, AND THE TRAVEL OPPORTUNITIES HAS BEEN MOVED TO A FUTURE COUNCIL MEETING.

I BELIEVE IF THERE IS NOTHING FURTHER, WE

SHOULD ADJOURN.

THINGS MAY BE MORE COMPLICATED TODAY THAN THEY
GENERALLY ARE.

>> [INAUDIBLE]

>> [INAUDIBLE]

>> ALL RIGHT.

IS THAT IT?

THEN I WANT TO THANK ALL OF YOU FOR A VERY
PRODUCTIVE DISCUSSION TODAY AND FOR YOUR
ATTENDANCE AND ACTION IN THE FACE OF INCLIMATE
WEATHER AND WISH YOU ALL A SAFE TRIP HOME.

WE ARE ADJOURNED.